

No. 7422

Day.

John, Greenwich test.

1723, Apr. 1

//

Considering of the mortality of my Body I John Day of Ipswich  
in y<sup>e</sup> County of Essex in the province of Massachusetts Bay in  
new England Do make and Ordain this my Last will and Testa-  
ment Committing my soul into the hands of God and my Body to  
be Decently Buried and as to my worldly Estate I Give and  
Dispose of y<sup>e</sup> same in manner and form following That is to say  
Imprimis I Do hereby Give to my wife one third part of all my moveable Estate  
to her Dispose after all my just Debts and funerall Charge is paid  
and also a third part of my housing and Land for her to Improve  
Dureing her widowhood that is to say She Shall have the In-  
Come of a third part of my housing and Land to be paid her  
by my Executors

Item I Give to my Daughter Elizabeth Lamfor the sum of one hun-  
dred pound with what she hath already Had to be paid by  
my Executors within five years after my Decease

Item I Give to my Grandson Daniel Dear the sum of Sixty five pounds  
when he Shall arrive to the age of Twenty one years to be  
paid by my Executors

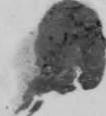
Item I Do hereby Give and bequeath to my two Sons John Day and Nath-  
aniel Day to them and their Heirs for Ever all the Remainder  
of my Estate both Real and personal to be Equally Divided Be-  
tween them the abovesaid John Day and Nathaniel Day whom  
I Do hereby Constitute and appoint as Executors of this my Last  
will and Testament this 26 Day of February Anno Domini  
one Thousand Seven Hundred Twenty Two, Three. 1722/3  
Signed Sealed published pronounced  
and Declared by John Day to be his  
Last will and Testament Before  
us witness

John Day

George Hart

Samuel Wallis

John Day



Hixt of Ipswich April 5<sup>th</sup> anno 1723

Before the Hon<sup>ble</sup> John Appleton Esq<sup>r</sup> Judge of the Probate  
of Wills of S<sup>t</sup> County &c John Smith George Hart  
Personally appear and make oath that they were present  
and saw John Day the within named Testator signe  
Seale and heard him Publish & declare the within  
written Instrument to be his last will and Testament  
and when he so did he was of good understanding to the  
best of their knowledge and of a disposing mind  
and att the same they together with saw<sup>d</sup> to affix  
set to their hands In his presence as witness  
Attest Iau<sup>d</sup> Appleton Esq<sup>r</sup>

Upon which this Will is Proved Approved and allow'd  
the Executor within named vizt John & Nathl.  
Day Accep<sup>d</sup> of said Trust the Executor given down  
to pay Debts & legacies Attest Iau<sup>d</sup> Appleton  
as to Will

Last will and testament  
of John Day late of Ipswich  
which deceased.

1723 April 1. —

7422

A record of the same —  
John Day  
1723 April 1st  
Iau<sup>d</sup> Appleton

**K**NOW all Men by these Presents,  
That we John & Nath'l Day Omayse, John  
Smith, George Hart and all of us  
In County of Gloucester New England yeomen  
Holden and stand firmly Bound and Obliged unto John Appleton Esq;  
Judge of the Probate of Wills &c. or to his Successor  
in the full and just Sum of one Thousand Pounds  
Lawful Money of New-England, to be Paid unto the said John Appleton  
Esq; Judge or his Successor  
Executors, Administrators or Assigns: To the which Payment  
well and truly to be made, we bind our Selves our  
Heirs, Executors and Administrators ~~jointly and severally~~  
~~whole and separately~~ firmly by these Presents:  
Sealed with our Seals: Dated the first Day  
of April Anno Domini 1723.

**T**he Condition of this present Obligation is such, That if the  
above Bounden ~~John & Nath'l Day Omayse, John Smith, George Hart and all of us~~  
~~which bears any great or small Debts we owe to others, to be paid by us to John Day, George Hart and Legatees~~  
Heirs, Executors, or Administrators, or  
any of them, shall and do well and truly Pay, or cause to be Paid unto  
the said ~~all Debts we owe to others, and all legacies which we give~~  
~~In this last will and Testament~~  
Executors, Administrators or Assigns, the full and just Sum of  
as therein Mentioned  
in good Bills of Credit on the Province of the Massachusetts-Bay, or  
Current Lawful Silver Money of New-England, with Lawful Interest  
for the same, on or before the ~~the~~ Day of ~~profitt in s~~ Will  
which will be in the Year of Our Lord, One thousand seven hundred  
and without Fraud, Coven, or further Delay: Then the  
above-written Obligation to be Void and of none Effect; or else to  
Abide and Remain in full Force and Virtue.

Signed, Sealed, and Delivered  
in Presence of us,

John Lampson Junr.  
Jaw. Appleton Esq;

John Day  
Nath'l Day

John Smith  
George Hart

*John and wife  
Brod. to Ray Debolt  
and Accts in account  
to 1st of Nov 1923*

7422