

No. 7422

Day

John, Ipswich test

1723, Apr. 1

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Considering of the mortality of my Body I John Day of Ipswich
in y^e County of Essex in the province of y^e Massachusetts Bay in
New England Do make and Ordain this my last will and Testa-
ment Comitting my soul into the hands of God and my Body to
be Decently Buried - and as to my worldly Estate I Give and
Imprimis I Do hereby Give to my wife one third part of all my moveable that
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
During 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 Lamson the sum of one hun-
dred pounds 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 above said John Day and Nathaniel Day whom
I Do hereby Constitute and appoint as Executors of this my last
will and Testament this 28 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 witnesses

John Day

George Hart

Samuel Wallis

John Day

Exeter N. H. April 5th Anno 1723

Before the Hon^{ble} John Appleton Esq^r Judge of the Probate
of Wills of S. County to: John Smith: George Heest
Personally appeared and made oath that they were present
and saw John Day the within named Testator sign
seals and read him Publick & Declared 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 at the same they together with sawth to all
sett to their hands In his presence as witness
attest John Appleton Esq^r

Upon which this Will is Proved Approved and allowed
the Executor within named viz^t John & Nath^l
Jay accep^d of said Trust the Executor gave Bond
to pay Debts & Legacies and
in so Will
attest John Appleton

Last will and Testament
of John Day late of Exe^r
which deceased.

1723 April 1. —

7422

(2)

John Day, W. L. J.
Approved for Executors
B. T.
Recorded and Exam^d

KNOW all Men by these Presents,

That *W^{ch} John Nath^l Day* *Imag^e John Smith George Hart* *Smiths* all of *the* *Jury* County of *Essex* in *New England* yeomen

Holden and stand firmly Bound and Obliged unto *John Appleton Esq^r* Judge of the Probate of *Wills* in *the* *County* of *Essex* or to his Successors in *the* *Office*

in the full and just Sum of *one Thousand Pounds* Lawful Money of *New-England*, to be Paid unto the said *John Appleton Esq^r* Judge or his Successors

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* *wholly and singly* firmly by these Presents;

Sealed with our Seals. Dated the *first* Day of *April* Anno Domini *1723*

The Condition of this present Obligation is such, That if the above Bounden *John Nath^l Day* Heirs, Executors, or Administrators, or

any of them, shall and do well and truly Pay, or cause to be Paid unto the said *John Nath^l Day* 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 *profect* in *the* *Year*

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 Day
Nathaniel Day

John Lampson Jun^r
Jaw^o Appleton

John Smith
George Hart

John and Sarah
Dow. to Bay Settlement
and Tuckers account
to Wm 1723

7422

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