January Term 1771.—

Worcester County Continued

Naomy Davis the two Subscribing Evidences to a paper now put up, purporting to be the last Will and Testament of Robert Davis late of Worcester County deceasd taken in case of death or other disability to attend and by Consent of the Parties Contesting the same.—

The Deposition of Rowse Givan and Naomy Davis the two Subscribing Evidences to the Instrument of writing hereto annexed purporting to be the last Will and Testament of Robert Davis late of Worcester County deceasd who being persons of full Age and being Sworn on the Holy Evangels of Almighty God depose and say that about 3 years ago they were severally sent for to sign said Robert Davis's Will, that on their arrival they found the said Robert Davis sitting in his Chair. when James Nobles one of the subscribing Evidences to said Paper and unto deceasd read the Will to the deceasd, but did not hear him the Testator acknowledge the same or say whether it was his Will or not on which said James Noble asked asked the Testator to sign the Will, but these Deponents did not hear him say any thing. James Noble then took hold of the Testators Hand and with a Pen in it made the mark to said Will, after which something was put on the Seal which said Noble took off with the Testators Hand, they further say that as they did not then hear the Testator Speak any thing at all, so he never asked them to sign the Will, but were desired to do so by some Persons that were present, they further say that they apprehend that at the time of executing said Will the Testator was not in his proper Senses, but was Intoxicated with Liquor, and for reason they assign that immediately after the Execution of it he fell in to a profound Sleep, out of which he could not be awakened by all the efforts made by some Persons that wanted him to

January Term 1771—

Worcester County Continued

to take hold of the Will.— And further saith not.—

Prerogatives Office April 17th 1770.—

Sworn before Eli Nauette Regr

I the Subscriber do hereby Certifie that at the time that Robert Davis (my Grandfather) made his Will that I was by and present and that I verily believe that he was in his perfect Senses, and that he was then in his Health and that nothing appeared to ail him but the feebleness of old Age as he was at that time about 92 years of Age.—

Certified by me this 12th Day of April 1770— Thomas Davis.—

I the Subscriber do hereby Certifie that about last Christmas was a year I was at my Grandfather Robert Davises to see him in company with my Mother Mary Davis at which time my Grandfather Robert Davis told me in my Mothers hearing that he had made his Will and left me a Negro Girl named Flora.—

Certified under my Hand this 12th Day of April 1770. Abijah Davis.—

I the Subscriber do hereby that about last Christmas was a year I was at Robert Davis's in Company with my Son Abijah Davis, and heard the said Robert Davis tell his Grandson Abijah Davis that he had given him a Negro Girl which he then shew to them named Flora.—

Certified under my Hand this 12th Day of April 1770. Mary her X mark Davis

Witness - Jas. Mitchell

And that on the 31st July 1770. a Caveat was Entered and Libel filed against