Libr. P. C. No. 6. fo: 294.

hundred acres I do allow and Tollerate my two Executors to Sell these two parcells of Land mentioned if they do Judge it will be most to advantage.

Item I will and bequeath to my Daughter Mary Frisby One hundred and Seventy Pounds Sterling and a Negroe Girl named Margarett and this to be paid her when she Cometh to Eighteen Years of age or at the day of her Marriage and to be maintained out of my Estate till she is Disposed of, but if my Goods do Miscarry and be lost that was Sent to England in the Year One Thousand Six hundred Seventy and Three then my Daughter

295 Mary to have but One hundred and Twenty pounds Sterling and the Negro Girl that was before named; I do not mean that my household Goods Should be Divided in parts but do wholly bequeath them to my Wife to dispose of as She Shall think fitt

Item I do here Constitute and appoint my Loving Wife and my well beloved Son James Frisby Junr. to be my true and Lawfull Executors to perform and act in the behalf of themselves and the rest of my Children to the which Will and Testament I have here unto Set my hand and Seal this two & twentieth day of December 1673.

James Frisby Senr. Sealed

Signed Sealed and Delivered in the presence of —
Abraham Stran
Nicholas Dorell.

On the back side of the Said Will was thus written (viz.t) — —

October 12th 1674

Nicholas Dorell one of the Willnesses to the within Last Will and Testament of James Frisby Late of Baltimore County Deceased made oath that he Saw the Said James Frisby of a Sound Disposeing mind Sign Seal and publish this his within Will and Testament before me the day and year above written.

Philip Calvert.

Whereupon Nicholas Dorell one of the Willnesses to the Said Testament being Sworn upon the Holy Evangelists Saith that he Saw James Frisby the Testator of a Sound disposeing mind and with an Intent to make his Testament Sign Seal and Publish this as his Last Will and Testament and afterwards

(abraham)

Libr. P. C. No. 6. fol 295

Abraham Stran the other Willnesses to the Said Testament being called to give his Testimony Excused himself because he Could not Swear for Conscience Sake Whereupon the Judge Considered that the Testament was testamentum inter Liberos and therefore Judged the Will and Testament well made and ordered Letters Testamentary to be granted to Mary Frisby the Widow of the Said James deceased and to James Frisby the Son of the Said deceased by the Said Mary the Executrix and Executor in the Said Testament named, they the Said Executrix and Executor taking the usuall Oaths of an Executor and the Said James took the Oath of Executor immediatly and prayed Commiss.n

296. to Thomas Howell Gentl. one of the Justices for Cecil County to be directed to administer the Oath of Executrix to Mary his Mother the other Executrix in the Said Testament named which was ordered accordingly and that John Guilbert and John Cox be app.ts and the Said Letters Testamentary Commission to Howell and Warr.n to app.r and to the Said Howell to swear them I Issued immediatly D.

Die Martis 13 Octobris.

296 Came Thomas Hussey of Charles County Gentl. and Shewed that Joseph Searce Late of Dartmouth in the County of Devon in the Kingdome of England Merchant dyed at his house in Charles County as that before his Death he made his last Will and Testament in writing which he now Exhibited into this office Willnessed by Benjamin Rozer & John Jones of which Will and Testament Ann Searce the Wife of the Said Deceased is Constituted Sole Executrix and the Said Hussey Further Shewed that he had in his hands Several bills for Tobacco due to the Said Deceased and demanded a Debt of Four Thousand Seven hundred pounds of Tobacco for Dyet and attendance of the Said Deceased in his Sickness for Seventy Days in which time he was Utterly unable to Turn himself in his bed as also for Funerall Expences.

In the Name of God Amen

I Joseph Searce of Dartmouth in the County of Devon Merchant being Sick and Weake in Body but of Sound

(and)