Deposition taken of the Witnesses to the Will of William Burgess of Anne Arundell County Who Departed this Life about Sevenn of the Clock this Morning being the 28th Day of June Anno Dom 1698 before Kenelm Chesldyn Esq Comissary Gen of this province

The Deposition of John Gorrard Aged about 26 years

This Deponent Saith that being with the Deceased Wm Burgess all the Night before he Deceased and having particularly observed him about four or five hours before he Dyed Does in his Opinion believe that all that time he was in his right Senses and of sound understanding And that finding himselfe Neare his End And Weakness growing upon him about halfe an hour before he Was speechless Desired this Deponent to Write his Will And this Deponent being not used to Draw Wills and having but short of time to Doe this in Respect of the sudden Weakness growing upon the Deceased Does Certify believe that the whole Estate of the Deceased in the Severall Colonys by him Made Belonging to his real Estate was to Confirm an Estate in fee simple unto Severall Division Namely Mourned through the Words by me Written Will not in Law Make the same but time not Allowing to enlarge And the Same being Taken but in Short Heady only this Deponent believe that in the Words relating to his Wife being with Child if she proved so and brought a Live Child to the World he intent was that it Should inherit all his Lands Notwithstanding the former Devise by him Made in his Will to the Other Sisters Namely Mourned

The Deposition of Richard Jones Aged about Twenty Seven years relating to the aforesaid Matter

This Deponent Saith that he has been very conversant and intimately acquainted along time with the Deceased and was present at his Death and for about five hours before And heard him Desire Mr Gorrard to Wright his Will While Might be about halfe an hours before he was speechless And the time being so short that the said Gorrard having Not time to Write his intention at Large — Weakness growing so fast upon him was forced to take it Short after he had Writ the preambles of the Will But this Deponent is throughly perswaded that his intention was to Confirm an Estate in fee simple upon all the Devisees Mourned in the Will And the Lands Namely Mourned should descend to them and their Heirs Severally to whom so equivalent And he has Severall Reasons to induce him to believe the same for that he has heard him express himselfe very Kind to them Most of them And particularly towards some of Major Snowdell Children Saying that they and particularly those Mentioned in his Will (if he Should Die without

[illegible]

Relating

Edwards Docto. Mordica Moore took his Corp According to Law in Such Case the Day & years aforesaid relating to the said Will of the said William Burgess & the Saith

That Coming into the Room where the said William Burgess Lay Dying Made about a Quarter of an hours After he was taken speechless found Mr Gorrard Writing and

And Asked what they were Doing it was Answered that they were Writing ye Burgess Will Which the Testificant said was Well Done but approaching to ye said Burgess and finding Death just in a Manner upon him Went to See in What towardness his Will was and being only the preamble Done And ye first Article Desired the Deceased to Make Sense with his Will Who Sound him he Would have it Left at Law till Capt Hamptons came for that he had Sent for him And he Would be there speedily But the Testificant Telling him that he Should be Dead before Capt Hamptons Wood be there, Wished him in haste to Declare Briefly What he Would have Done with his Estate And how he Would Leave the Same Who by Way of Short heady or Direction gave it as is Set Downe in the pap: Writ by the said Gorrard And Does Really believe that had he Lived to have the Same brought into a Method And Writ at Large, an Estate in fee to the Severall Divisees Namely Mourned Would have been by him Made in Express Termes but the time being so Short and Death Coming upon him so fast Called for the paper to Sign before it could be well finished in the Method it is Which he Did And said he was A going Whereupon the Testificant Looking over the Writer said Why he had not Said to them and their heirs in the Land Devise And Coming Back to the Deceased that he Might give Such Direction as he thought proper Namely to the Writer found him Speechless But Does believe had he been Capable of Speaking he Would have ordered it a fee simple

Kenelm Chesldyn
Comissary Gen:

Codicil Item to his Sister Susan 50s to his Brother Charles 50s to Richard Harrison Seven hundred Acres of Land On Condition he pay 430s for the Same he Makes his Wife Sole Executrix and if she prove with Child Gives all his Land in Gross all to the Child that Shall be Begotten of her to Thomas Larkin Richard Jones & John Gorrard Each five pounds

In the name of God Amen I John Dunkin being in my perfect Sense & memory do make my Last Will & Testament this fourteenth day of April as followeth —

first — I Resign my Soul to God that gave it and my Body to be buryed hoping that out of his great mercy that he will receive it into his heavenly Kingdom Amen —

Item I give to my Wife Sarah Dunkin all & everything which is mine & which is Due unto me making her my whole Executrix over all goods, Chattels moveable or unmoveable Debts & securities Mechandis all that I have & further to pay all my Debts which I do owe in this world As witness my hand & seal the day & Years first above written Signed Sealed