November the 2. 1734 Came Jonathan Jackson and Walter Darby two of the Subscribing Evidences to the within Will and made Oath on the Holy Evangelist of Almighty God that they saw the Testator Richard Ryder Sign & Seal & heard him publish pronounce and declare the within Instrument of writing to be his last Will and Testament and that at the time of his so doing he was to the best of their understanding of sound and disposing mind memory and understanding and that they the aforesaid Jonathan Jackson and Walter Darby Subscribed this Will and further Deposeth that they saw the other Evidence Thomas Benson Subscribe at the same time all in the presence & at the request of the Testator Richard Ryder Sworn before me

Nehemiah King Hornby
of Somerset County —

5.2 Sides

In the name of God Amen I James Smith of Kent County in the Province of Maryland being sick in body but of good and perfect memory thanks be to Almighty God and calling to remembrance the uncertain Estate of this Transitory Life do make constitute ordain and declare this my last Will and Testament in manner and form following Revoking and Annulling by these presents all and every Testament and Testaments Will and Wills heretofore by me made and declared either by word or writing and first I give and commit my Soul unto Almighty God my Saviour and Redeemer in whom & by the merits of Jesus Christ I trust and believe assuredly to be saved and my body to be buried in such place where it shall please my Executrix hereafter named to appoint And now for the setting of my Temporal Estate and such Goods Chattles and Debts as it hath pleased God far above my deserts to bestow upon me I do order give and dispose of the same in manner & form following (That is to say) First I will that all those Debts and Duties as I owe in Right or consience to any manner of Person or Persons whatsoever shall be well and truly contented and paid or ordained to be paid within convenient time after my decease by my Executrix hereafter Named

(Item)

Item I give and bequeath unto my well beloved Wife Joice whom I constitute and appoint my whole and Sole Executrix all my moveable Estate (excepting one young Mare and horse hereafter mentioned) during her Natural Life and then to her own Disposal

Item I give and bequeath unto my Daughter Joice Smith my full part of a Tract of Land called Providence which I bought of Daniel and Timothy and to be in the possession of any of her Brothers whom she lives with or likes best during her Life and after the said Joices decease to be equally divided amongst my three Sons James Sutton and William Smith to them and their Heirs and if any of the afore mentioned my Sons die without Heirs then to fall to the next youngest Heir

Item I give and bequeath unto my Sons Sam.l Joseph and Daniel all my Right title and interest of part of a Tract of Land called Holy Land to them and their Heirs forever but in case of mortality to be divided amongst the last mentioned that are living Item I give and bequeath unto my Son John Smith one Shilling Sterling & no more

Item I give and bequeath unto my Son Thomas Smith one Shilling Sterling & no more

Item I give and bequeath unto my Daughter Sarah the late Wife of Cornelius Hurley one Shilling Sterling and no more — — — — —

Item I give and bequeath unto my Daughter Mary the now Wife of Jacob Gooding one Shilling Sterling and no more — —

Item I give and bequeath unto my Son James Smith a young black Mare 2 Years old

Item I give and bequeath unto my Son Sutton Smith a young Horse Colt in witness whereof I have set my hand and Seal this 21.st day of April Anno Dom.i 1734

Witness
George Barber
Charles his C S mark Smith
Tho.s his R mark Rush

James his J mark Smith

On the back of the aforegoing Will were the following Probates thus written — Ps.

May the 29.th 1734 George Barber and Charles Smith two of the subscribing Witnesses to the within Will being duely and Solemnly Sworn on the Holy Evangels of Almighty God depose and say that they saw the Testator James Smith Sign ~~and seal~~ the within Will and heard him publish and declare the same to be his last Will and Testament that at the time of his so doing he was to the best of their apprehension of sound and

(disposing)