97. On the fourth day of October 1739. Did Mary Stewart make her Election on the above Will & desires she may be Concluded by the Provision made her therein Before

Nehemiah King Dep^ty Com^ty of Som^st County

And on the back of the aforegoing Will was thus written Viz^t

October ye 4th 1739. Came Edward Rownd & Moses Claille two of the Subscribing Evidences to the within Will & made Oath on the holy Evangelist of Almighty God, That Saw the Testator Peter Stewart Sign & Seal & heard him Publish Pronounce & declare the within Instrument of Writing to be his last Will & Testament & that at the time of so doing he was to the best of their Apprehension of sound & disposing mind memory & understanding And that they the said Edward Rownd & Moses Chaille, Subscrib'd the within Will & further Deposed that they Saw the other Evidence Hugh Stevenson, Subscribe at the same time all in the Presents & at the request of the Testator Peter Stewart

5 Sides. Sworn before Nehemiah King Dep^ty Com^ty of Som^st County

---

Exam^d — Maryland ss^t In the Name of God Amen I Thomas Gassaway of Ann Arundell County in the Province of Maryland being very weak in body but of sound mind & memory Thanks be Given to God for the same & knowing the Uncertainty of this life Do make this my last Will & Testament this Seventh day of September Anno Domini One Thousand Seven Hundred & Thirty nine in manner & form following that is to say I Recommend my Soul unto Almighty God my Creator Trusting on his Infinite Goodness & mercy through Jesus Christ my Gracious Lord & Redeemer for the Remission of all my Sins an Assured Resurrection & a happy & Glorious State of Blessedness for ever, My Body to the Earth to be buried in a decent manner (Appointed by the Church of England) & for such worldly Goods as it hath pleased God of his Bounty to Possess me with I Doe hereby Will & dispose of as followeth.

Item I Give & Bequeath unto my beloved Wife Susanna Gassaway during her natural life the Plantation which I now I live on, Beginning at two small Pear Trees it being the bounds between Mr James Nicholson's Land & mine Running from thence with a streight line To a Cedar Post it being the beginning of Halls Inheritance & the Second Boundary of the Addition Then with the Addition To the Mill dam Creek So with the Creek & River to the head of Crosses Creek then with a streight line to the first beginning And after her Decease To my Son Henry Gassaway & the Heirs of his body lawfully begotten and if he should die without such Heir To fall to my Son John Gassaway & his Heirs for ever.

Item I Give & Bequeath unto my beloved Son John Gassaway all the remaining part of my Lands adjacent to him & his Heirs for ever.

Item I Give & Bequeath unto my beloved Son Thomas Gassaway five Hundred Acres of Land laying in Baltimore County whereon he now lives To him & his Heirs for ever.

Item I Give & Bequeath unto my beloved Son Nicholas Gassaway Two Hundred & Eighty Acres of Land Laying in the Fork of Gunpowder joyning to Gassaways Ridge to him & his Heirs for ever.

Item I Give & Bequeath unto my beloved Daughter Elizabeth Howard Two Hundred & fifty Acres of Land Laying in Baltimore County called James Forrest To her & her Heirs for ever.

Item I Give & Bequeath to my Grandson John Beal Howard one Lott of Land lying in the City of Annapolis

Item I Give & Bequeath unto my beloved Wife during her natural life one Negro man called Bacon, one D^o called Short Jack, one D^o called James, One Negroe named Bess, one D^o named Phillis, & one named Parroway.

Item I Give & Bequeath unto my Son Henry one Negroe boy named Dodo, one D^o named Peter, one D^o named Orris, one Girl named Lucy one D^o named Bess, one D^o named Margery, & one D^o named Pegg.

Item I Give & Bequeath to my Son Henry one feather bed & furniture half a Dozen Leather Chairs one large table one small D^o one Dozen Pewter Plates Six Pewter Dishes Two Pewter Basons Two Pewter Porringers & the Remaining part of the Household Goods To my Wife during her life & then that & all the remaining part of my Estate after my just debts & Legacies be paid, To be equally divided Between my Son John Gassaway, my Son Thomas, my Son Nicholas, my Daughter Elizabeth, & my Son Henry, Share & Share alike

Item I Give all the debts due from my Sons to me as stands on my Books against them.

Item I Give & Bequeath unto Gassaway Watkins one Hundred Acres of Land on which he now lives on

Lastly I Appoint my beloved Wife & my Loving Son John Gassaway my whole & sole Executors of this my last Will & Testament, & also hereby make Nul, & Void all other Wills & Testaments, by me made at any time heretofore, In Witness whereof I have hereunto Sett my hand & Seal the day & year within written.

Signed, Sealed & Delivered, Published, Pronounced & Declared In the Presence of us

Ann Lux
Richd Hill
Wild^m Sanders

Th^o Gassaway Seal

On the back of the aforegoing Will was thus written Viz^t

Octob^r 25, 1739. Came Mrs Ann Lux & William Sanders two of the Subscribing Witnesses to the above & foregoing Will & being duly Sworn on the holy Evangelists depose & Swear that they Saw the Testator Thomas Gassaway Sign & Seal the same & heard him Publish & declare it as his last Will & Testament That at the time of his so doing he was to the best of their Judgement & Apprehension of sound & disposing mind & memory And that they & Richard Hill the other Witness Subscribed their name as Witnesses in the Presence of the Testator

Sworn to before me the day & year abovewritten D Dulany Com^ry

0½ Sides.

Exam^d — In the Name of God Amen I Magdalen Loockerman of Talbot County Wid^o being sick & weak in body but of sound & perfect mind & memory Bless'd (be God therefore) Do this day of in the year of our Lord Christ One Thousand