

WILL OF THOMAS WELLS (a. 1678-1750)
HAMPSHIRE Probate Records, Volume VII, p. 273-274

In the Name of God Amen The Third day of April Ano Dom one Thousand Seven hundred and fifty and in the Twenty Third year of the reign of our Sovereign Lord George the Second King &c I Thomas Wells of Deerfield in the County of Hampshire and Province of the Massachusetts Bay in New England Esq considering my advanced age and the Infirmities of Body that are coming upon me and that it is appointed to all men once to die and being of a Sound disposing mind and memory (Through the Goodness of God) do make this my last Will and Testament In the first place I give my Soul to God who gave it believing that thro' the merits of Jesus Christ it will be cleansed from all Sin and Presented faultless before the throne of his Glory & my Body I commit to the Earth until the Glorious morning of the resurrection hoping and Believing that it Shall then be raised a Glorious Body & reunited to my Soul & be made therewith Happy & blessed with God forever

And as for the Temporale Goods or Estate that God hath entrusted me with in my Life I dispose thereof in manner & form hereafter mentioned—

Imprimus after all my Just Debts & funeral charges are paid by my Executor hereafter mentioned I give and bequeath unto Sarah my loving wife a good credible mourning Suit of apparel and all the linen household Goods that I have also one half of all my personal Estate forever and also the Improvement of one half of all my Real Estate during her natural life—

Item I give and bequeath unto my nephew Thomas Dickinson of Hatfield in the County aforesaid my Homestead that I now live on which Said Lot or Homestead contains Seven Acres more or Less and also and also [sic] my Track of Land—within the Comon fields in Deerfield comonly known by the name of my great Pasture which contains about twenty acres and likewise my two Lots that are Situated and Lij in that Part of the Comon field in Deerfield aforesaid that is known by the name of the Great meadow the Southern most of which Lots contain about three or four acres and the northernmost about Eight or nine acres and also my Lot or Draught of Land in the Second Division of Land West of the Comon field in Deerfield aforesaid containing about one hundred & ninety acres or Two hundred acres all which Tracks or Parcels of Land aforementioned I give and bequeath to him the Said Thomas Dickinson his Heirs or assigns forever provided that he the Said Thomas Shall comply with and fulfill the Terms and Injunctions hereafter mentioned in this my last Will and Testament—

Items I give unto my Niece Susanna White the wife of the Revd. Mr. David White of Hardwick to her the Said, Susanna her Heirs and Assigns forever all the Sundry Tracks and Parcels of Land hereafter mentioned being in Deerfield aforesaid that is to Say my Homestead or Pasture comonly known by the name of the Sheep -Pasture it Joins to a Lane that runs to the East mountain and to a Lane that leads to the little plain West and to Deerfield's Land north and contains about Ten Acres also my Lot or Lots in that Part of the Comon fields in Deerfield afore called the Plainsland, Pinehill Island and the Neck which Lots or Tracks of Land contain about Twenty Seven Acres and likewise my Part and an Interest in and unto a Track or Lot of Land in that Part of aforesaid Comon Field known by the name of Pogues Hole which Said Lot is held in equal parts between me the Donor hereof and Samuel Barnes Esq of Salem and contains about Sixteen acres also my Lot in Old Fort So called in the aforesaid Comon fields Supposed to be about four acres also my Lot at a Place called Petty's Plain containing about one hundred & fifty

acres it Ly's in the first Divisions of Land West of the Comon Fields also four Lots in the Long hill Division So called two of which are recorded in Deerfield Town book to Zechariah Fields and are the Lot number Ten on the East & West Side of the Country road the other two Lots are recorded to Thomas Felden and are the Lot number Seven on the East and West Side of the aforesaid country roads—

Item I give and bequeath unto my nephew Salmon Dickinson of Hatfield my Great Lot (So Called) in the aforesaid Longhill Division on the East Side of the Country road being Forty five rods in Width and is the Lot number Twenty Two in Said Division to him the Said Salmon his Heirs & Assigns forever—

Item I give and bequeath to my Niece Abigail Wells the wife of Jonan. Wells of Rhode Town (So called) all my right Stake & Interest in and unto any Land in the Township of Road Town aforesaid whether divided or undivided and also give and bequeath to her the Said Abigail a Tract or Parcels of Land lying & being in Deerfield aforesaid in the Division of Land North of Cheap Side and East of Green river containing as I suppose about Five hundred acres it lies near a place called The Trap plain bounding South on or near the twenty acre Land (so called) North on Land of the Heir of Mehuman Hinsdell East on a Road leading to Log Plain West on undivided Land to her the Said Abigail Wells her Heirs and assigns forever I give it

Item, I give and bequeath unto the Church of Christ in Deerfield a good Silver Tankard to be procured for and delivered to Said Church by my Executor hereafter named –

And it is my will and I do give and bequeath unto my aforesaid Nephew Thomas Dickinson and to my Niece Susanna White aforementioned to them and their Heirs forever all the remainder part of my Estate both Real & Personal that is not disposed of in this my last Will and Testament to be equally divided between them the Said Thomas & Susanna but here it is to be noted that any thing that is or Shall be in this my last Will and Testament Shall not be constructed or Infringe upon or make Void and Thing relating to the Settlement that I have made to my wife in the former part of this Will. Lastly I nominate constitute & appoint the rev Mr David White of Hardwick and the aforementioned Thomas Dickinson to be the Executors of this my Last Will and Testament & hereby I do make void all other Wills or Testament heretofore made by me at any Time whatsoever & do by these present ratify & declare this to be my only last Will and Testament In Witness whereof The Said Thomas have here unto Set my hand Seal the Day and year first written

Signed Sealed published & declared by the Said Thomas Wells to be his last Will and Testament in presence of us

Thomas Wells Seal

Joseph Severance

Jonathan Burt

Sarah Couch

Know all men by these presents that whereas Thomas Wells of Deerfield in the County of Hampshire and Province of the Massachusetts Bay in New England Esq did by my last Will and Testament bearing Date the Thirsday of April anoDomo one Thousand Seven hundred fifty give & bequeath to my Nephew Thomas Dickinson Sundry Tracts or parcels of Land being in Deerfield aforesd as by my Said Last will may appear with this provided that he the Sd Thomas Shall comply with and fulfill the Terms and Injunctions hereafter mentioned in this my last Will and Testament, But the terms & Injunctions being omitted in my Said last Will and Testament I therefore hereby declare that it is my Will and Pleasure that if any Challenge be made on my Estate by my Brother in Law John Dickinson (The father of the before named Thomas

Dickinson) – or by the Heirs or assigns of the Said John Dickinson and it appear that there is any thing Justly due from me or from my Estate after my Decease to the Sd. John Dickinson or to his Heirs or assigns whether by book Bill Bond or any other writing or writings or any other way or means whatsoever that then the Said Thom' Dickinson Shall pay or cause to be paid the whole of what Sum or Sums of money or whatever Shall be found due as aforesaid to the Said John Dickinson his Heirs or assigns So that none of the Heirs or Legatees to my Estate be charged with any part thereof or any part of the Personal Estate Subjected to the Payment thereof but of my Said Nephew Thomas Dickinson Shall refuse or neglect to comply with the Terms above mentioned Then it is my Will that the other Executor of my Last Will and Testament viz Mr David White Shall have So much land apprizd and Set of to the Said David cut of the Land that I have in my Said Last Will and Testament bequeathed to the Said Thomas Dickinson and that he the Said David White paying what Shall be found due to the Sd John Dickinson his Heirs or Assigns as aforesaid that then the Land that Shall be apprizd & Set of as aforesaid Shall be to him the Sd David his Heirs and Assigns forever, any Thing contained in my Said Last Will and Testament notwithstanding and I do hereby declare this Codicil with every Clause and every article therein contained to be my last Will and Testament

In Witness whereof I the Sd Thomas Wells have hereunto Set my hand and Seal the Twenty ninth day of August in the Twenty fourth year of the reign of our Sovereign Lord George the Second King of Great Brittain anno Dom one Thousand Seven hundred & fifty—

NB: I Desire that it may not be understood that I do not acknowledge that I am Indebted to the Said John Dickenson upon any accounts whatsoever but have heard that he pretends to have Demands that that I am noways—Conscious that's I owe him.

Signed Sealed published & declared by the Said Thomas Wells to be his Last Will & Testament in presence of us—

Joseph Severance

Thomas Wells Seal

James Couch

Sarah Couch

Know all men by these present that whereas Thomas Wells the Subscriber of the above written Codicil did Signify by Said Codicil that it was my Will and Pleasure that if anything did appear to be due from me or from my Estate after my Decease to my Brother in Law John Dickinson his Heirs or Assigns that then my Nephew Thomas Dickinson Should pay the Same as appears by Sd Codicil but dying now Satisfied that the Sd John Dickinson has no Demand on me or my estate I do therefore hereby declare that the Said Codicil or addition to my last Will and Testament to be wholly Void and no part of my Said last Will & Testament but that the former part of my Sd last Will & testament which was Signed Sealed & declared by me to be my last Will & Testament on April the Third day an Domo one Thousand Seven hundred and fifty do Still remain & abide my last Will & Testament exclusive of the Sd Codicil or any thing therein contained and the Said Thomas Dickinson in hereby discharged from any Injunction laid upon him in Said Codicil In Witness whereof I the Said Thomas Wells have hereunto Set my hand & Seal the Seventeenth day of September an Domo one Thousand Seven hundred & fifty and in the Twenty fourth year of his Majesty's reign—

Signed Sealed & Delivered in presence of

Joseph Severance

Thomas Wells Seal

James Couch

Sarah Couch

At a Court Probate holden at Northampton within & for the County of Hampshire on the Second Tuesday of October being the 9th day of Said Month an Domo 1750 p Timothy Dwight Esq Judge of Said Court The foregoing Will & Codicil annexed were presented for Probate by the Executors therein named and Mr Joseph Severance & Sarah Couch two of the Witnesses to Said Will appearing made oath that they Saw Thomas Wells Esq the Testator Sign Seal & heard him pronounce & declare the Same to be his last Will & Testament and that he was of Sound Mind & memory when he did it and that they with Jonathan Burt the other Witness to Sd Will all Signed as Witnesses to the Same in the Said Testators presence and Mr Joseph Severance James Couch & Sarah Couch the Witnesses to both the Codicil appearing made oath that they Saw Sd Testatator Sign & Seal & heard Him pronounce and declare the Said Codicil to be his last Will & Testament with what he had before Subscribed as his Will and that he was of Sound Mind & Memory when he did it and that they all Subscribed as Witnesses to the Said Codicil in the Sad Testators presence wherefore the Said Will & Codicil are ratified approved and Confirmed as the last Will and Testament of Said Decd

p Timothy Dwight