

west by highway leading to the Neck, south by land of **Robert Taylor**, east and north on land of **Abraham Redwood**, of which premises **Benjamin Tripp** of Newport, mariner, on 24 September 1757 was possessed and by deed of that date did convey to plaintiff. One half was devised to Mary for life and the whole had finally been obtained at law by **Benjamin Tripp**, son of said Mary; Mary devised her interest to him. Copy of will of Othniel Tripp [for full transcription of will, see No. 768]. Mary and Bridget received costs. (Superior Court 13,944)

964. March: Petition of **Stoddard Lawton** of Tiverton, mariner, for divorce: on 1 December 1760 he sailed from Newport and continued absent until January 1763; during his absence and after he had been out of the Colony upwards of 2 years his wife **Deborah** was brought to bed with a female child. Deposition of **Borden Wilcocks** of Tiverton, mariner, that on 5 December 1760 he sailed on Sloop *Two Brothers*, **Daniel Wilcocks**, Master, of this place, to Maryland; **Stoddard Lawton** was on said Sloop as a Hand; he left in Maryland; later **Borden Willcocks** was in Maryland again and saw him at James Island and they went in company up the Bay to Swan Creek until 6 June 1762. Summons were issued to — **Irish**, wife of **John Irish** of Little Compton, midwife, and **Lillis Briggs** of Tiverton and **Anstress Willcocks**. Deposition of **Lilless Briggs** that she was at the house of **William Willcocks** in Tiverton 5 November 1762 and at that time **Deborah Lawton** who is called wife of **Stoddard Lawton** was delivered of a female bastard child.

965. May: **Benjamin Fish** of Portsmouth, yeoman, vs. **Holder Chace** of Portsmouth, yeoman. In the evening of 6 January 1763 dogs belonging to defendant killed 14 ewe sheep. Summons were issued for **David Fish Jr.** and **George Hall**, both of Portsmouth. Deposition 3 March 1764 signed by **David Fish Jr.**, who responded to questions from the plaintiff, saying that the boy who informed him of Hall's dog having the lamb was **Daniel Phillips**, 12 or 13 years old; the dog's ears were cut off but he couldn't tell about the tail; the **Widow Westgate's** dog was a "lightish coullard shagged dog." (Superior Court)

966. Will of **Joseph Tillinghast**, dated 28 December 1762; proved 5 December 1763 [separated from case]

In the name of God Amen I Joseph Tillinghast of Newport in ye County of Newport in the Colony of Rhode island and providence plantations

in New England Shop keeper being by Divine favour of a reasonable and disposing mind & memory and knowing it is appointed unto men once to die do make and ordain this my last will & testament that is to say principally & first of all I commit my spirit to the hand of God who gave it and my body to the earth to be buried in decent manner at the direction of my executrix hereafter to be named & appointed & as concerning such worldly estate as it has pleased God to bless me with in this life I give & dispose thereof in manner & form following.
My will is that all my just debts be paid in a reasonable time after my decease.

Item I give to my daughter **Lydia Amy** ye sum of seven hundred pounds equal to dollars at seven pounds apiece.

Item I give to my son **Joseph** ye house in which he now dwells together with the lot of land on which the said house stands with all the improvements & appertunances thereunto belonging (except as is herein excepted) to be and remain to him his heirs & assigns forever that is to say he pay unto my executrix (hereafter to be named) the sum of nine thousand pounds equal to dollars at seven pounds pr within the space of one year after my decease.

Item I give to my daughter **Ann Gardner** to ye value of twenty dollars a year for the space of twelve years but if my said daughter die before ye said twelve years are expired then ye money or value thereof shall be paid to my granddaughter **Freelove Easton** during the remaining part of ye said twelve years (for the use of her family) according to her direction. I also give to my said daughter **Ann** the use of the house she now lives in with the use of the entry between said houses also a small room in the north east corner of the seller of ye other house with the priveledge of a well as also sixteen foot square in the north east corner of the garden the improvement of said premises I give to her & her daughter **Freelove Easton** during their natural lives.

Item I give to my son **Samuel** ye lands in which he now lives together with a [---] or water lott & all appertunanes thereunto belonging to him his heirs & assigns forever I also give unto him the sum of two thousand pounds equal to dolars at seven pounds pr.

Item I give to my son **Nicholas** two thousand pounds equal to dollars at 7½ pr also the warehouse and wharfe below ye house which he now lives in in Providence also one half of a store or woodhouse in Newport standing on ye wharfe I bought of **William Dyre** with a double house adjoining thereunto he keeping said wharfe in good repair so farr as adjoins ye said premises I give to him his heirs & assigns forever with ye priveledge of build⁶ further in to the water if he or they please

Item I give to my daughter **Elezebeth Cozzens** one double and one single warehouse on the wharfe I bought of **William Dyre** being to the westward of ye store or wood house so called on said wharfe she keeping in good repair said wharfe so far as adjoining ye said premises. I also give her the sum of five hundred pounds equal to dollars at seven pounds ppr.

Item I give to my son **Daniel** a small lot of land near Fullers Ferry in Rehoboth as also the easternmost double house on the wharfe I bought of **William Dyre** aforesaid as also the easternmost half of ye store or wood house with ye priveledges of said wharfe and to build further out if he please he keeping in good repair said wharfe so far as may adjoin his interest said premises I give to him his heirs & assigns forever. I also give to my son **Daniel** the sum of two thousand pounds equal to dollars at seven pounds ppr.

Item. I give to my granddaughter **Mary Barker** two hundred pounds equal to dollars at seven pounds ppr.

Item. I give to my grandson **Nicholas Paris Tillinghast** three hundred pounds equal to dollars at seven pounds ppr.

Item. I give to my grandson **Nathaniel Tweedy** the sum of three hundred pounds equal to dollars at seven pounds ppr.

Item. I give to **Mary** my beloved wife the sum of three thousand pounds equal to dollars at seven pounds ppr as also my Indian girl to her her heirs & assigns forever as also the rents and improvements of all the remaining part of my estate during her natural life if any remains to be devided between my surviving children.

Also I appoint and ordain my **Mary** my said wife to be sole executrix of this my last will & testament hereby disanulling & revokeing all othr wills & bequests heretofore by me made or established ratifying & confirming this & no other to be my last will & testament. In witness herof I have hereunto set my hand & seal this twenty eighth day of December in the year of our Lord one thousand seven hundred & sixty two Sign'd sealed & published, pronounced & declared by the said **Joseph Tillinghast** as his last will & testament.

[signed] **Joseph Tillinghast**

In presence of **Jabez Carpenter, Archibald Campbell, William Hookey**
Newport December 5th A D 1763

In Council appeared **Archibald Champbell Wth Hookey** and on their oaths declared they saw **Joseph Tillinghast** sign seal & publish & declare the within written will to be his last will & testament and that he was then of a sound mind & understanding & that they with **Jabez**

Carpenter signed as witnesses to said will at the same time in the said Joseph Tillinghasts presence.

Witness W^m Coddington Council Clerk

The above & foregoing pages is a true copy of the will of Joseph Tillinghast with the several interlineations & erasements as in are in the original will & which was compared with said original will this eighth day of December 1763

Witness William Coddington Council Clerk