

*Boston Directory, 1789. Page 171.*  
*1796. Page 215.*

A REPORT  
OF THE  
RECORD COMMISSIONERS  
OF THE  
CITY OF BOSTON,  
CONTAINING  
MISCELLANEOUS PAPERS.



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## “THE LAST WILL AND TESTAMENT

OF ME, ROBERT KEAYNE, ALL OF IT WRITTEN  
WITH MY OWNE HANDS & BEGAN BY  
ME, MO: 6: 1: 1653, COMONLY  
CALLED AUGUST.”

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I Robert Keayne, Cittizen and M<sup>r</sup>chant Taylor of London by freedome, and by the good Providence of God now dwelling at Boston in New England in Amireca being at this time through the great goodnes of my God, both in health of body, & of able and sufficient memory, yet considering that all flesh is as grasse, that must wither and will returne to the dust, and that my life may be taken away in a moment, therefore that I may be in the better readinesse (and freed from the distracting cares of the disposing of my outward estate, w<sup>ch</sup> comonly follows the deferring of it, while the time of sickness or day of Death, when the minde should be taken up with more serious and waighly consideracons) I doe therefore now in my health make ordaine & declare this to be my Last Will and Testament and to stand and to be as effectuell as if I had made it in my sicknes, or in the day or houre of my death, which is in manner and forme following

First and before all things, I comend & comit my pretious soule into the hands of Almighty God (who not onely as a Loveing Creator hath [117.] given it unto me when he might have made me a brute beast, but also as a most Loveing father & mercifull Savior, hath Redeemed it with the pretious blood of his owne deare Sonne and my Sweete Jesus; from that gulfe of misery and ruine that I by Originall Sinne and actual transgressions had plunged it into) Therefor renouncing all manner of knowne errors, all Popish & Prelaticall superstitions, all Anabaptisticall inthusiasmes and Familisticall delusions, with all other fayned devises, and all Old and New upstart opinions, unsound and blasphemous errors, and other high imaginations, that exalt themselves against the honor and truth of God, in the way of his worsh, and ordinances and against the dignitie and cepter of the Lord Jesus Christ my Savior. I doe further desire from my heart to renounce all confidence or expectation of merritt or desert in any of the best duties or services that ever I have shall or can be able to pforme acknowledging that all my righteousness sanctificon and close walking with God if it were or had bin a thousand times more exact then ever yet I attayned too, is all polluted and corrupt and falls short of comending me to God in point of my justification, or helping forward my redemption or salvation, and deserve nothing at Gods hand, but Hell and Condemnation, if he should enter into judgement with me for them, and though [118.] I beleive that all my wayes of holynesse are of noe use to me in poynt of justification, yet I beleive they may not be neglected by me without great Sinne, but are ordamed of God for me to walke in them carefully in love to him in obedience to his Comandements, as well as for many other good ends and are good fruites & evidences of justification, therefore renouncing though not the Acts yet all confidence in those Acts of holynesse and workes of Sanctification performed by me, I looke for my acceptance with God and the Salvation of my Soule only from the merritts or righteousness of the Lord Jesus Christ, and from the free bountifull and undeserved grace and love of God in him, and though this faith in me in respect of application for my owne comfort is very weake and feeble, yet I looke up to my God in Jesus Christ to strengthen it, and though the sinfull saylings & weaknesses of my owne life have beene great & many, and that

neither my selfe nor family in respect of close walking with him hath beene so with God as it ought to be, for which I have and shall still desire and indeavo<sup>r</sup> to judge and condemne my selfe in his sight, and not to allow my selfe in any wayes of evill knowingly, yet I looke up to his throne of Grace and Mercy in the blood of Jesus Christ with some hope & confidence that he will both pardon & subdue them, in which faith alone I desire both to live and dye and to continue therein to my lives ende, which faith in the Lord Jesus Christ hath beene most plainely & sweetly taught in these Churches of New England, in which place though I met with many and deepe [119.] sorrowes, and variety of exercises of Spirit and hard measures offered to me, yet with unrepentant thoughts I desire to acknowledge it, for a great blessing & undeserved favor of God, that he hath brought me hither to enjoye his p<sup>r</sup>esence in the beauties of holines and to see his walkings in his holy Sanctuary and though there may be faylings both in our Civill Government & Churches, for all men have there weaknesses & the best societyes of men have their imperfections, so that still there will be some things to be amended and reformed as God shalbe pleased to discover new light, and meanes to doe it, yet I doe unfaynedly approve of the way of the Churches of Jesus Christ, and the Civil Government that God hath here set up amongst us, and rejoyce therein, as a way that both I pray for and doubt not but God will blesse, and according to that light that I have received or that which I ever read or heard of, it is one of the best and happiest governments that is this day in the world.

This being p<sup>r</sup>missed in respect of my soule & my faith in Jesus Christ, I doe next comitt my body to the earth (& to comely & decent buriall) there to rest till my loving Savior by his Almighty power shall raise it up againe, at which time I confidently beleive it shalbe reunited to my owne soule, and there shall receive according to the works that I have done in this life according as they have beene good or evill in the sight of God, or according to that faith and confidence that I have in the free grace and merits of the Lord Jesus Christ. As for my Buriall I shall not desire any great outward solemnitie to be used further [120.] then that which shalbe decent & civill as becomes Christians knowing that extraordinary solemnities can nothing add to the peace or benefit of the deceased, yet having beene trayned up in Millitary Discipline from my young<sup>r</sup> yeares, & haveing endeavoured to promote it the best I could since God hath brought me into this country & seeing he hath beene pleased to use me as a poore instrument to lay y<sup>e</sup> foundation of that Noble Society of the Artillery Company in this place, that hath so farr prospered by the blessing of God as to helpe many with good experience in the use of theire Armes & more exact knowledge in the Millitary Art & hath beene a nursery to raise up many able and well experienced souldiers that hath done since good service for their country, therefore to declare my affections to that exercise & the society of souldiers, I shall desire to be buried as a souldier in a Millitary way, if the time & place of my death and other occasions may suite thereunto which I leave to the discretion of my executors and friends

As for the goods of this life which the Lord of his abundant mercy, his rich & undeserved favo<sup>r</sup> hath bestowed & reserved to me the greatest of sinners and the unworthiest of all his servants I dispose of in manner following

Impr<sup>es</sup> my will is, That all such debts as I doe or shall justly owe to any person or persons at the time of my death shalbe truly and carefully payd by my executors within as short time after my decease as conveniently may be, which debts of myne at this [121.] time doth amount to about One hundred and fivety pounds besides what I owe unto the poore boxe, the particulars of w<sup>ch</sup> & the persons to whom I am indebted, my executors & overseers may find in a long paper booke in my closet at Boston with a white Parchment Cover, intitelled my Inventory booke in which the particulars of my whole estate from yeare to yeare, with all that I owe and all debts that are owing to me is breifly set downe under my owne hand which wilbe a direction to them in all my affaires, which debts of myne if God be pleased to spare me health while the next Spring I hope I shall pay the most of them my selfe except that only which I owe to the poore boxe being about Eighty pounds, and for the better effecting & accomplishing of this my last will & Testament, my will & desire is that p<sup>r</sup>esently after my death or buriall at furthest, there may be a true Inventory taken of all my lands houses cattle



moveable goods, bookes, houshold stuffe of all sorts, of all my wares, marchandize, ready money, plate, ringes, jewells, bever, wearing apparrell, tooles or any such like, of all the Corne I have at home or at my farme with all things there, of all the debts that are owing to me, especially those that I account good, and which they be you may see not only in my severall debt bookes but the abridgement of them all (except housing, houshold stuffe & moveables, plate, tooles &c) in that Inventory Booke before mentioned, and that all these things may be equally valued & prized by such indifferent and just men that have good skill & experience in the severall kinds of goods that are to be valued, and if more convenient that an oath may be given to them to value & prize them [122.] according to the common worth & value that such goods and lands shall beare at that time in this country as neare as there best judgment & skill therein shall lead them too, That as my executors may have no wrong so neither would I have my legacies & giftes swallowed up, with an apprehention or report that I have given away more then my estate will beare, and that I have made a great show of charitie, and have nothing or not enough to perform it with, which Inventory of my estate being so taken & all things valued equally & without partiality & not at halfe what they are duely worth as is the use of many, then to deduct so much out of the some totall as my ffunnerall charges & my debts that I shall owe at that time may come too, which my booke intitelled Creditor & Debitor in my closet at Boston, and other debt bookes & bookes of account will clearly discover, especially that Inventory booke first mentioned, which some being set by in the account for discharge of my debts, the residue & remainder of my estate I dispose of as followeth

Impr<sup>e</sup> the thirds of all my lands & housing both at Boston & at my ffarme at Rumne Marsh or any where else that I shalbe possessed of at the time of my death I give and bequeath unto my deare & loveing wife M<sup>rs</sup> Anne Keayne to hould & enjoye with all the profitts of them or that shall arise from them during hir naturall life according to the last law of our Gennerrall Court made concerning widowes doueries which I beleive wilbe a large and comfortabe maintenance for hir, a greate if not the greatest part of my estate lying in my housing & lands (or else I would make such an addition to it as might make hir life in respect of outward things both peaceable & comfortable) there being noe ingagements or incombrances yet upon any part of [123.] my lands yet I shall not forget some other pledges of my love to hir

These thirds for my wife being p<sup>r</sup>messed & my ffunnerall charges & debts being provided for as I have be forementioned The rest of my whole estate both personall & reall with my lands housing & all other things belonging to my estate I devide into two parts, the one part whereof I give and bequeath unto my welbeloved & only son Benjamin Keayne, the other part of my estate, I meane the just or due value of it I reserve as my owne right to dispose of as I please which is as herein shall after be expressed.

And because I am not ignorant that formerly there hath beene many claymors & evill reports raised up against me here & elsewhere as if I had gott my estate by unjust dealing and wronging of others, That all might take notice that I durst not allow my selfe in any such knowne wickednes as hath beene flsely reported against me, I did in some of my former Wills and also in my last before this of anno 1649 (which I still keepe by me though cancelled & made null by this and wilbe needfull to be preserved and of use to be viewed & read over by my executors and overseers if need be about sivrall things mentioned therein which I leave out in this & may be of some helpe to them in some matters of concernment as things may fall out) set apart two hundred pounds out of my owne estate, that if any man or woman (not knowing but that I might have dyed long before this time) young or old in Old England or New, could justly challenge or make it appeare by good prooffe or reason that I had in anything unjustly wronged or defrauded them, that they might have had full satisfaction allowed them though I know of no such things that can justly be layd to my charge, nor any pretence or show of it, but if I were [124.] alive to answere for my selfe I should easily cleare & remove, but having now lived in New England this 17 or 18 yeares where there is an open passage in church and comon wealth where any that are unjustly wronged may easily right themselves, if I should obstinately refuse to doe them right, and none such haveing appeared in so many yeares I

thinke it needles to continue any longer what I formerly sequestered out of my estate for such ends, and if any should come with such p'tences after I am dead, the falsenes of them may the more justly be suspected in that they came not while I was alive, I speake of debts & unjust frauds not of humane infirmities & faylings, which may be comon to my selfe as to other men.

I haveing long thought & considered of the want of some necessary things of publike concernment which may not be only comodious but very profitable & usefull for the Towne of Boston, as a Market place & Cundit, the one a good helpe in danger of fyre, the want of which wee have found by sad & costly experience not only in other parts of the towne where possibly they have better supply for water but in the heart of the towne about the market place, the other usefull for the country people that come with theire provisions for the supply of the towne, that they may have a place to sitt dry in and warme both in cold raine & durty weather & may have a place to leave theire corne or any other things safe that they cannot sell, till they come againe, which would be both an incouragement to the country to come in & a great meanes to increase trading in the [125.] Towne also, to have some convenient roome or too for the Courts to meete in both in Winter & Sumer & so for the Townes men & Comissio<sup>rs</sup> of the Towne, also in the same building or the like there may be a convenient roome for a Library & a gallery or some other handsome roome for the Elders to meete in & conferr together when they have occasion to come to the towne for any such ende, as I perceive they have many, Then in the same building there may be also a roome for an Armory to keepe the Armes of the Artillery Company & for the Souldiers to meete in when they have occasion, Now if it should not be thought convenient by the Elders & Deacons or guids of the towne that all these conveniencies should be under one rooffe or in one place of the towne or that there be some places already built that may conveniently be used or fitted up with smale cost for some of these purposes, as in the Meeting House for a Granere or Armory & other places in it for the Magistrates & Comissio<sup>rs</sup> to meete in as they doe sometimes, it is true in the sumer they may, in the Winter they cannot for want of chimneys & fyres, but it would be necessary & more convenient (And the Towne hath beene often speaking about it, to have such a building for such uses though yet it hath not beene accomplished) if there were a place fitted on purpose & set apart for such publike uses, and if advice were taken with some skilfull & ingenious workmen & some others that have good heads in contriving of buildings such as Mr. Broughton, Mr. Clarke, the Chirirgion &c. there might such a model be drawne up that one fabricke or building may [126.] be easily contrived that would conveniently accomodate all these uses, without extraordinary cost & yet may be so done as would be a great ornament to the towne as well as usefull & profitable otherwayes but if the cheife of the towne should be of anoth<sup>r</sup> minde, then I should propose this, that the cundit & Markett House be sett in the market place somewhere betweene Mr Cogins house & mine or any where in that great streete betweene Mr. Parkers House & Mr. Brentons or rather Mr. Webb's if it should be judged there to be more convenient, these two may handsomely be contrived in one building in w<sup>ch</sup> possibly may be some other convenient roomes fitt for some of the uses before mentioned besides & for those which that place cannot supply, as for a Library & for a Gallere or Long Roome for the Devines & Schollers to meete & conferr together upon any occasion it may be contrived to be sett all along on the foreside of the Meeting house joyning to it on the one side and the other side to be supported with pillars so the roomes about may be for Court meetings at the one side & the Elders at the other & the open roome betweene the pillars may serve for Merchants, Mr of Shippes and strangers as well as the towne (being either paled or bordered on the ground) to meete in at all times to conferr about there busines & occasions w<sup>ch</sup> I conceive would be very advantagius to the towne & may be so contrived & sett forth y<sup>t</sup> will be no disgrace or incumbrance to the meeting house but a great ornament to it, but if it should be thought not convenient to have it in the front of the Meeting [127.] House, it may accomplish the same ends, if placed on that side of the Meeting House from Sergeant Williams shop to Deacon Trusdalls house, or if a building placed in one of these two places may accomplish all the ends before mencōned save only the Cunditt then a large Cundit may be sett up alone, about the place where the Pillary stands

& the other about the meeting house as before w<sup>ch</sup> I leave to the best contrivement of the towne & the Elders & Deacons w<sup>ch</sup> building or buildings if the towne shall thinke meete to goe about it & improve them for the severall uses before mentioned, only the Granere may be in any other place of the towne as shalbe thought convenient, I stand not upon that though my owne judgement leads me to thinke that some places or place about the Comon Market or near to it wilbe most suitable for many reasons. I say towards the building of these convenient places.

Item I give and bequeath three hundreth pounds in good merchantable pay the one third part thereof when the frame is brought to the place & raysed or some part of it before when the frame is in some forwardness if neede be, the seconde part when the chimneyes are built, the house covered and closed in round and all the floores layd, and the last third part when it is quite finished, provided that it be gone about and finished within two or three yeares at the most after my decease, and if any of these either a Cundet or Markett House should be sett up before my death, by the towne or any other in the place or places above mentioned, then my gift shall remaine good either for some addition to the same worke or for the accomplishing of those other workes by me mentioned that are not done by others, with a rebating proportionable to what [128.] is or shalbe before done by the towne or any other Pson, Now that these things may not be only for a show or a name & when finished prove as shaddowes & stand as emptie roomes without substance that they may be improved for the uses that I ayme at & intend though my estate is not such as whereby I am able to doe what I desire & would be willing to doe if I had it, for such publike benefitt, yet for examples sake & encouragement of others (especially of our owne towne w<sup>ch</sup> will have the benefitt of it) & such in the towne that have publike spirits & some comfortable estates to helpe on such workes I shalbe willing to cast in my mite & bring my lime & hare possibly God may stirr up the hearts of others to bring in their Badger skines & silke & others more costly things that the worke may goe on & prosper in so smale a beginning

Therefore to the Granere I give and bequeath One hundred pounds to be paid in Corne and that to be improved for a publike stocke to such uses & ends as I shall hereafter mention

Next the Library & Gallere for Devines & Schollers to meete in being finished

I give and bequeath to the beginning of that Library my 3 great writing bookes w<sup>ch</sup> are intended as an Exposition or Interpretation of the whole Bible, as also a 4<sup>th</sup> great writing booke in which is an exposition on the Prophecy of Daniel of the Revelations & the Prophecy of Hosea not long since began, all which Bookes are written with my owne hand so far as they be writt & could desier that some able scholler or two that is active and dilligent & addicted to reading and writing were ordered to carry on the same worke by degrees as they have leasure and opportunitie & in the same methode and way as I have begun (if a better be not advised to) at least if [129.] it shalbe esteemed for the profit of it to young students (though not so to more able and learned Devines in these knowing times) worth the labor as I have & doe finde it to my selfe worth all the paines & labour I have bestowed upon them, so that if I had 100<sup>lb</sup> layd me downe for them, to deprive me of them, till my sight or life should be taken from me I should not part from them

Further my will is that my son Benjamine Keayne my Executor having first made choyce out of my study of such Bookes as he shall desier & thinke needfull for his owne use and reading (not to sell) whether Divinitie, Hystory or Milletary or any of my written Sermon bookes excepting those fower before given to the Library & and my wife also some few for her use if she shall desier any other then those she hath already of hir owne, these p'mitted my will is that my brother Wilson & Mr. Norton with my Executor & Overseers or the most of them may view over the rest of my bookes and to choose from amongst them such of my Divinitie bookes and Comentaries, and of my written sermon bookes or any others of them as they shall thinke profitable & usefull for such a Library (not simply for show but properly for use) they being all English none Lattine or Greeke, then the rest which remaines may be sould for there due worth both the written and printed ones,



and though my bookes be not many, nor very fitt for such a worke being English & smale bookes, yet after this beginning the Lord may stirr up some others that will add more to them & helpe to carry the worke on by bookes of more valew, antiquity use and esteeme & that an Inventory may be taken & kept of those bookes [130.] that they set apart for the Library

And because I perceiue that the Elders of the neighboring townes have appointed certaine times in y<sup>e</sup> yeare as cheifly in Sumer time once a moneth to meete together to confirr about ordering things in the Churches according to God & to debate about doubts or difficult questions that may arise, in matters of religion and such like and that they have noe place to meete in, but at one of our Elders houses nor nothing to refresh themselves with but of them w<sup>ch</sup> may prove too great a burthen to our Elders (the meetings being so often and continuing constant) to beare of their owne charge besides other burthens & inconveniences they may undergoe Therefore the roome before mentioned being fitted y<sup>t</sup> they may meete when they please thereat I doe will and bequeath fower pounds a yeare to be payd out of some of my shops in Boston by quarterly payments w<sup>ch</sup> may be ordered and disposed as the Eld<sup>r</sup>s shall direct or advise to provide some refreshing for them when they meete or now and then dinn<sup>r</sup>s as farr as it will goe & as themselves shalbe pleased to husband it, not that I would put upon my Executor the care of such provisions or of buying or dressing the meate, but that he should appointe w<sup>ch</sup> shop should pay them so much & then they may appointe a steward of their owne to receive the pay every quarter & then they to direct how it shalbe layd out or disposed of for that ende to there owne content, only I would p<sup>r</sup>misse this if there meeting be only in the Sumer & not in the Winter as I conceive then my will is that they should receive this fower [131.] pounds every Sumer, by forty shillings a quarter as that which wilbe most convenient for there meeting, and th<sup>is</sup> gift of fower pounds p anno I give for the space of Ten yeares from the time of my death, if that meeting continue so long in that towne, hoping that before then some other may be moved to step in & to add so much more to it as may serve to provide a moderate dinner for every time of there meeting so that noe part of the charge of it may lye upon themselves and when the 10 yeares is ended I doubt not if my son be then living here (& my buildings continue as now, that he would continue this gift of myne longer if that meeting continue longer & proves by experience to be much for the good and advantage of religion & the churches as is intended & not to the hurt & p<sup>r</sup>judice of the same

And if a convenient fayre roome in one of the buildings before mentioned be sequestered & set a part for an Armory & the meeting of the Artillery if there it be thought convenient or if some other place be provided for that use more convenient, with the Officers of that Companys advice, I am not strict for the very place so they have content in it, though yet I thinke the very hart & securest part of the towne (& noe out or by place) is the most fitt for a Magazene for Armes because of the danger of surprizing of them, the place that they now use wilbe fitt, to scower & tend the Armes in & the other to lay them up & keepe them in, which wilbe a comely sight for straigners to see & a great ornament to the roome & also to the towne where [132.] the souldiers may arme themselves every time they goe to exercise, such a place being provided I give & bequeath five pounds for the encouragem<sup>t</sup> of that Company to be layd out in Pikes & Bandal<sup>r</sup>s for the use of such souldiers of that Company that live in other townes, so farr as it cannot be convenient for them to bring there armes w<sup>th</sup> them, or if the Officers of that Company doe know any other thinge that the Company wants that wilbe more usefull for the generall good of the Company then what I have mentioned that will continue & not be spent or consumed in the use, then I am willing that the whole or any part of this legacy may be so disposed of takeing in the advice and consent of my Executor in the same.

Item I give & bequeath further to this Artillery Company of Boston five pounds more towards the erecting of a platforme plancked underneath for two mounted peeces of Ordinance to stand upon, a greater & a smaller, with a shead of boards rayed over it, to keepe them dry & p<sup>r</sup>serve them from sunne and weather & this to be raised in the most convenient p<sup>t</sup> in the Trayning place in Boston where it shalbe most fitt for that use & where at a convenient distance against some hill or rising ground there may be a good

Butt or kinde of Bullwarke raised of earth that may receive the [133.] shott of these peeces & may be free from endangering any that may unexpectedly passe by or be behinde the butt in case they should overshoot, w<sup>ch</sup> Butt may be cast up or digged at the bottome of a hill without any charge by the Company themselves, in two or three of theire Trayning dayes and my ende in this is that the Company may be trayned up (or so many of them as desier it) in the use exercise & experience of the great Ordinance as they are in theire musketts that they may learne how to traverse, lode, mount, levell & fyre at a marke &c] w<sup>ch</sup> is as needfull a skill for a souldier as the exercise of theire ordinary Armes, I suppose the Countrey will willingly lend the Company two such peeces for so good a use as this is, if the towne itselfe hath none such to spare & will give them a barrell of powder or two to encourage them, to begin a service that wilbe so singularly usefull for the country, the bullets wilbe most of them found & saved againe if the hill or butt against w<sup>ch</sup> they shoote be not so low & narrow that they overmount & shoote aside at randome, now as many of that company or others w<sup>ch</sup> desire to learne that art of gunnere (soe needfull for every Captaine & officer of a Company) to be experienced in) they may enter there names to be schollers of the great Artillery & to agree that every one that enters his name may give so much for entery & so much a yeare afterwards as you doe at the Artillery which money will serve to lay in provision of [134.] powder, shott, springes, Budg Barrells Cannon Baskets & some allowance to the M<sup>r</sup>. Gunner that shall take paines to instruct them, if there cannot be some skillfull & sufficient man found, that will thinke the honno<sup>r</sup> of the place to instruct such a society in so noble a service recompence sufficient that they have an opportunitie not only to exercise there owne skill but to doe good to the countrey & to willing schollers that so thirst after experience as wee see the Capt & rest of the officers of y<sup>e</sup> smale Artillery doe freely expend there time to instruct others in the best skill themselves have attayned, and looke at it as reward enough that theire paines is accepted & the Company edified by it, besides there being many ship M<sup>rs</sup>. & Gunners that resort to this Country who have good skill in this art, the Company I doubt not upon there request might have there helpe sometimes & direction herein & he that is chosen to this place may have the title of y<sup>e</sup> Cap<sup>t</sup> of the great Artillery or M<sup>r</sup>. Gunner & there may be a time appointed once in a weeke or fortnight for the schollers to meete & to spend two or three houres, either forenoone or afternoone for there instruction in it, Now all that meete cannot expect to make every one a shott for that would prove to great a charge & expence of powder but every one must take there turne & two or three at a meeting to make one shott a peece or but one man two shotts at one time & the rest may observe as much by the manner of there performing it as if they had done it themselves, and for further encouragement to helpe [135.] on this exercise besides the five pounds given before towards the Platforme & the other five pounds for Pykes &c.

I give & bequeath Two Heifers or Cowes to the Capt & Officers of the first Artillery Company to be kept as a stocke constantly & the increase or profit of these Cowes yearly to be layd out in powder or bulletts &c. for the use of the exercise of the greate Artillery, only the stocke at no time or the vales of it not to be diminished & these to be delivered to the Capt that shall have the comand of that Company or whome himselfe and Officers shall appointe when the Platforme & Butt is finished, and two peeces mounted thereon, with all materials thereto belonging fitt to exercise with, when a M<sup>r</sup>. or Cap<sup>t</sup> of the greate Ordinance is chosen, a convenient company of souldiers entered for scholl<sup>rs</sup> as betweene ten and twenty & all things settled in a good posture for the beginning & continuance of that exercise, but if the Artillery Company shall neglect to accomplish this before expressed above two yeares after my decease then these three legacies viz<sup>t</sup> both the five pounds & the two Cowes to be voyd & to be to the use of my executor, but if the things before mentioned be accomplished & this new company doe goe on as I desire it may then my will is that the Capt with the consent of the Company may appointe some able man either of the Company or otherwise that shall give bond to my executors or overseers for these two Cowes or the vales of them at the time of delivery that the stocke shalbe [136.] preserved & the increase or benefitt of them only to be disposed of for the use of this new Company & if this Company should breake off & not continue there exercise



then the two Cowes to be returned to my executor or some of my Overseers for his use or the just value that they were worth at the time of there first delivery, now any man that shall have the Cowes to keepe wilbe willing to give such a bond if the Company order it so, in case that exercise should fall to the ground, for the two first five pounds I desire no bond nor any returne of it though the Company should not continue very long I would make it my dying request to our first Artillery Company (if there shalbe such a Company in being when it shall please God to take me out of this misserable world) many knowes what my earnest endeavo<sup>r</sup> & desires hath beene to promote & encourage what I could since the Lord hath brought me into this Countrey & my desires have not beene altogether frustrated for out of this smale Company the Lord hath raysed up many a well experienced souldier that hath done good service and have beene of good esteeme both here & in our native Countrey & therefore my greife is the more to see this sometime flourishing & highly prized Company that when the Countrey growes more populus this Company should grow more thin & ready to dissolve for want of appearance but some are weary & theus thinke they have gott experience enough so the most begins to neglect but my request is [137.] that the entries, quartridge & fynes for late & non appearance (w<sup>ch</sup> last hath beene too long neglected) & will not be well with y<sup>e</sup> Company till it be taken up againe especially seeing the greatest pt of that Company consists now of men in our owne towne & wee never had better nor more constant appearance then when fynes were duely taken] may be p<sup>r</sup>served & kept in stocke to lay out in powder, Armes, Bandaleers for the use of the Company & in Canvas to make resemblance of Trenches, half moones, redowts, fforts &c. Cannon Basketts & such like necessary implem<sup>ts</sup> for some speciall millitary service y<sup>t</sup> might be p<sup>r</sup>formed once or twice a year, w<sup>ch</sup> would be a singuler helpe to the ordinary exercise & would add much not only to the encouragem<sup>t</sup> but to the experience both of officers & Souldiers in some millitary exercises w<sup>ch</sup> without such helpes as these cannot be taught nor p<sup>r</sup>formed, and these moneyes would be farr better employed & to the greater satisfaction & content of the Company in such things then to be wasted & spent in eating & drinkeing & needles invitations as it hath beene long a time both to my owne & to the greife & offence of sevall of the Company which hath occasioned some to leave the Company & others to be unwilling to pay their quartridge, seeing the whole stocke is still consumed & the Company rather in debt then otherwise w<sup>ch</sup> hath beene a cheife thing to hinder many other profitable exercises for want of meanes to beare the charge of them & will [138.] in time be the overthrow & dissolution of the Company if it be not p<sup>r</sup>vented, w<sup>t</sup> hath made y<sup>e</sup> Artillery Company in London so to flourish for so long a time togeth<sup>r</sup> but the stocke of the Company well managed whereby they have done great things & have beene able to p<sup>r</sup>forme many exercises (though chargeable) both for the delight of all behould<sup>rs</sup> & y<sup>e</sup> great benefitt & experience of the souldiers & to the increase of there number, and indeed I had in my purpose sival other legacies to have bestowed on this Company for there encouragem<sup>t</sup> & the example of others & have them in a readines & of some consequence but the smale appearance of the Company & the declyning of it dayly w<sup>ch</sup> cannot be but a great discouragem<sup>t</sup> to the Cap<sup>t</sup> & Officers that comand them, as also to the Souldiers y<sup>t</sup> doe appeare & causes a kinde of contempt instead of esteeme in those that behould them) makes me feare the fynall dissolution of it & so all giftes will sincke with it & come to nothinge hath beene the cause of altering my resolution, though I know a skillfull comander though he have a body of men but 4 fyles 6 deepe which is but 24 souldiers, yea I would add further, if he have but halfe so many but two fyles 6 or 8 deepe, with them he may p<sup>r</sup>forme such variety of exercises, not only for the postures but the severall motions dubbings faceings counter marshes, wheelings yea such varietie of formes of Battells & severall kinds of fyreings & charges as should be not only delightful but very usefull & gainfull [139.] to those that are exercised & not only for two or three Trayning dayes, but have matter enough to exercise them for sevall yeares w<sup>ch</sup> I should hardly have beleived, did not I know it to be true & have seene it with myne eyes, yet notwithstanding what comfort or credit can a Cap<sup>t</sup> have to goe into the field with 6 or 12 souldiers & under the name of an Artillery or Military Company, it would be my rejoyceing if there could be any meanes thought on or used to increase & encourage this

Company that is & may be so honorably & advantagious to the whole country, that it may remaine & continue still in splendor & esteeme increasing & not decluyning, but all things have there changes

Now concerning the originall legacy of Three hundred pounds that I have given to the Towne of Boston for the raysing of a Cundit in the Market place & for a building to fitt for such uses as I have before mentioned, if any shall alledge that three hundred pounds is not sufficient to accomplish it I answ<sup>r</sup>. 1. That it may be some of these may be gone about & finished by y<sup>e</sup> Towne before God may call me out of this world as y<sup>e</sup> Cundet or m<sup>r</sup>ket house &c. & then there wilbe the lesse to doe and I know that the Towne hath agitated it & seriously intended to have gone about to doe them all except only y<sup>e</sup> library, as such things that are needfull & will turne to the publike advantage of the Towne. 2<sup>ly</sup>. I say that I conceive if it be well managed & ordered it may doe it all or very neare it. I suppose one of the two last houses that I built hath roome enough in it to accomplish all the ends before mentioned excepting the Cundit, if it had beene first contrived & thought on for such an ende, yet that hath not cost me 400<sup>lb</sup>. not by so much as I suppose [140.] will neare build a new Condit, but Thirdly if it should fall short I doe expect & suppose that the Towne wilbe willing to add to it & make up the rest either by enlarging of the Conveniencies or beautifying the structure for the better ornament of the towne & possibly some else may thinke of some other thing wanting, that may be as usefull to the genn<sup>r</sup>all good of the towne as most of these to be added to it, w<sup>ch</sup> I have not thought upon, besides if I were about to build a thinge that I conceive would be very usefull & advantagious to me but am not comfortably able to beare the charge of it, if any freind out of love to me would lend me 300<sup>lb</sup>. some considerable time gratise it would be a great incouragement to me to goe on with the worke, but if he should offer to give me freely 300<sup>lb</sup>. towards it I should think my selfe bound to be very thankfull to him and to be willing to make up what is wanting rather then I would loose so free a kindnes by my neglecting of the worke.

But possibly some wilbe ready to apprehend that I may doe this only for my owne endes & benefitt w<sup>ch</sup> may make them the more backward to have it goe on especially with any of there owne Cost, for some such spiritts there be that had rather deny themselves a benefitt then that another should enjoye a greater benefitt by it, as some have said that I have beene very forward to have a Cundit in y<sup>t</sup> place because I have so many houses & buildings there about & so a Market House [141.] wilbe more the beneficiall to bring trade to my shops. I answ<sup>r</sup> putt case that this were in all things true, it is not sinefull nor unlawfull in Christian prudence to pvide meanes for the p<sup>r</sup>venting of danger or procureing of any lawfull good, I doubt not but they would doe the like if it were there owne case. But 2<sup>dly</sup> what advantage will this be to me when I am dead and gone, if others should not receive more benefitt then I by it I need not trouble my selfe with what may fall out in after times, in these respects for I shall feele no want, nor suffer any damage by such losses & a 100 things would come into consideration as needfull to p<sup>r</sup>vent or provide for as these, if men goeing out of the world should trouble themselves with the care of such changes and things that may happen when they are dead 3<sup>dly</sup> If my housen only were there & no other shops but myne, there might be more ground for such an apprehension, but it is the heart of the towne and many fayre buildings & shops there be round about, the Market is there seated already, the Market house is more for the conveniency of strang<sup>rs</sup> & there accomodation in winter and sumer in wet & dry there for the inhabitants of the towne & in that respect it is a worke of charitie and mercy and though some pticular psons that trade may have more benefitt by it then some other psons that dwell further off, yet the advantage & profit of it will redound to the whole towne in genn<sup>r</sup>all and for my owne pticular I haveing given over trade [142.] long agoe) the nearenes of the market is more chargeable then beneficiall to me, if I looked not at a genn<sup>r</sup>all & publike good, more then my private & for the Cunditt I confesse it is very necessary & usefull in many respects, especially in danger of fyre & well it were if there were more of them in the towne then there is, but that it wilbe more beneficiall to me or that I shall have more neede of it then others who can tell, who knowes y<sup>t</sup> my house alone shalbe sett on fyre, God



may p'serve myne though divers others may be consumed, as it fell out lately by sad experience, had there beene a Condit in the Market place before, then would it not have beene looked at & found to be a publike good, might not some of the houses beene saved that were consumed more worth then the charge of setting up three or fower such Conditts, nay if the fyre had gone on in its rage as it was most like (had not God in unexpected mercy p'vented it) & ceased upon others houses as it threatened to doe, the whole towne would have had cause to thinke & to have bewailed the want of it) that such a Condit was a publike good & the want of it a publike evill though some pticular psons might have had the benefite of it at that time more then others, and at some other times others might have had more neede & more benefitt by it then they but if my houses & shopes stooode alone or if I only should need & not others, if it were for my owne private & not for the publike good of others, I would build a Condit & a Market house too if there were neede [143.] at my owne charge without calling in the helpe of others & I thinke if my owne heart deceive me not, my ayme in all these things proposed is for the genn'all good of the towne & that if I had noe house thereabouts but had lived in some other part of the towne, I should be as forward to promote these workes as I have beene formerly or am at this p'sent, so I should desire all my loveing brethren & neighbor<sup>s</sup> of the towne to interpr<sup>t</sup> & accept of what I tender to them, as a fruite of my true endeavor & desire of the townes good & not at any private advantage of me or myne & as one y<sup>t</sup> have beene willing & desirous to helpe them forward in my lifetime rather then death, And for that legacy of one hundredth pound before mentioned for y<sup>e</sup> Grannere to begin a stocke for a publike magzine of Corne for the towne or cheifely the poorer sort in it, now what private ends or advantage can any one apprehend I can have in that when I am dead & so for the library & armory & Plattforme & Butt for the incouragem<sup>t</sup> of the Artillery Company & or free schoole or what I had set apart form<sup>ly</sup> for the trayning up of the Indians Children in learning & some English scholl<sup>rs</sup> to learne the Indian Tongue, now if these cannot but be interpr<sup>t</sup>ed for a publike and genn'all good to the towne why should any conceive otherwise of the other, for the Condit there is none in the markett place & if such a worke be needfull in any pt. of the towne, it is 5 times more needfull there [144.] & so for the market house except there were more publike markets set up in some othere p<sup>ts</sup>. of the towne & though God hath beene pleased in some measure to carry me on with a publike spirit to seeke the good of the towne according to that abillity which God hath beene pleased to afford unto me though I am not able to doe according to the largenes of my desire hoping that God will raise up some others after me, of abler estates & opener hearts & hands to add larger additions to these weake beginnings or to begin some others that may be more usefull then these yet I must needs say I have mett with discouragem<sup>ts</sup> more then a few to divert my thoughts & purposes another way & to tye up both my heart & hands frō such testimonies of my love that I have beene willing to show, not only by these objections I have now answered, but by those unkinde & unneighborly discourteeses that I have more latly & formerly mett with all, in this towne when time was (w<sup>ch</sup> I cannot easily forget though I desire to forgive & from many in the Church especially in those times of my troubles & more there spirits & dispositions would have leade them too, had not the providence of God & the tendernes & wisdom of some others amongst us p'vented there desires & endeavors, whose actions & pceedings I could never take as a fruite of there love to my soule as much as a fruite of there p'judice against my person, but I desire to requite there evill with good & unkindnesse with kindnesse, therefore for [145.] this 100<sup>lb</sup>. to be payd in Corne Cattle or a p<sup>te</sup> in both, what my will is about the ordering of it, that it may be p'served still for a stocke frō yeare to yeare & the increase or profit of it only to be disposed to the uses intended, w<sup>ch</sup> are these that follow, The one halfe hereof viz<sup>t</sup>. fivety pounds with the increase thereof I give & bequeath to the use of the free schoole at Boston to helpe on the trayning up of some poore mens children of Boston (that are most towardly & hopefull) in the knowledge of God & of learning not only in the Latine Tongue but also to write & cypher, as farr as the profit of it will reach & according to the best ordering of it for that ende, as the Townesmen or Ffeofees of the free schoole from time to time



shall judge best takeing in also the advice of my executo<sup>r</sup> or executo<sup>rs</sup> with my overseers or the most p<sup>t</sup> of them, so long as they live or as any of them remaine in the Country. The other fifty pounds with the profit of it I give & bequeath for the use & reliefe of the poore members of our owne church or to any other good use that shalbe accounted as necessary or more necessary then this that I intend, if any such should p<sup>r</sup>esent and that so to be improved in the judgem<sup>t</sup> of all the Elders & Deacons of this our church from time to time, with the consent of my executo<sup>r</sup> & overseers as before, Now if that scoole should be sufficiently provided for before I dye, then I would propound it to be kept as a Magazine of store from yeare to yeare & as a stocke for the towne, & as a stocke for the towne if either a [146.] famine or warre should happen amongst us, which may tend much for the p<sup>r</sup>eservation of the towne especially for the poorer sort 400 bushells of Indian may be bought for 50<sup>lb</sup>. & 250 Bushells of Rye if not 300 for 50<sup>lb</sup>. & so peace & how easy a thing would it be for the towne to make it up a 1000 bushells or more by every family putting in but a pecke of corne or such a matter but once in a yeare or but once in all to raise a first stocke, to sell it away once in two yeares or longer if it will keepe, when it beares the best price & lay it in againe when it may be cheapest bought, which will beare the charge of wast & lookeing to with considerable profit, w<sup>ch</sup> may be expended yearely for some of the most necessary & charitable uses of the towne & much good may be done by it & the stocke still not diminished but augmented or if the whole 100<sup>lb</sup>. be putt into a stocke of corne & so husbanded constantly & the one halfe of the profit goe to the disposing of the church & the other to the towne I p<sup>r</sup>eeve no inconvenience in it, this hath beene the wisdome & care of our forefathers in other parts & much publike good have beene done by it & I know not why wee should not imitate them herein except some other way may be thought of wherein such a stocke may be employed with lesse trouble & more certaine profit & yet accomplish the maine endes I intend herein the reliefe of the godly poore as farr as the profits of it may runn I should willingly give way to it.

And because my will & earnest desire is that this stocke of 100<sup>lb</sup>. might be constantly p<sup>r</sup>eserved for the uses above said (except God should take it away by fyre or some such extraordinary accident or [147.] speciall hand of God) & in such a case I should earnestly begg of the towne to make it up againe w<sup>ch</sup> may be done without any great burthen to them & they are like to reape the benefit of it, in the mean time I propose this as necessary & by me desired that securitie may be given to my executor or overseers for this 100<sup>lb</sup>. at the receiueing of it by some of the townes men to repay it againe in case they doe not p<sup>r</sup>eserve it & constantly improve it to the uses before mentioned or some other that may be better or equivalent to it according to my true intent & meaning therein which is to doe the most & best good with it, that it may be employed too and least the Townesmen should object that they are changeable every yeare & so may refuse to give bond though it be for a publike good, then I thinke the Deacons who are usually for their lives, or by some ffleofes chosen for that ende may give bond for it & they to have the whole 100<sup>lb</sup>. to improve for the uses before (however I doubt not but sevall wayes may be thought on to secure it without any damage to one or two in pticular) which I leave to the Townesmen & Deacons to consult & conclude of, in the meane time I remember them in these two last yeares I have gayned for y<sup>e</sup> poore seaventeene pounds more then I have given away which is to be added to the former hundred pound & because I have beene fayne to borrow of this poors stocke for my owne use when I have wanted money of my owne & it hath beene a good helpe & supply to me that way many times therefore I am willing to make the seaventeene pounds [148.] twenty pounds as I have formerly done upon the same ground when there stock was but eighty & odd pounds I made it up One hundred pound therefore whatsoever there shalbe wanting in ready cash in the poores stock of one hundreth & twenty pounds my will & order to my executor or executors is that they may make it up out of my owne estate in currant pay answerable to money & to be more carefull in it then in the discharge of any other debt that I shall then owe.

Now for this 120<sup>lb</sup>. before mentioned I am bound to acknowledge & to leave this testimony behinde me concerning it & how I came by it, for I doe

not account it properly my owne nor simply my gift to the poore now but theire due & debt as that w<sup>ch</sup> for these many yeares long before I came out of old England I began to gather & devote it to God & his service for such a p<sup>t</sup>icular use now mentioned what of it I could save & spare besides that I yearely gave away out of it to pious uses as necessity called for at my hands, both in old England & since I came hither, which stocke I have gathered & from weeke to weeke layd apart by taking one penny out of every shilling which I have gotten by my trade, with other goods & m<sup>c</sup>handize that I have dealt in so that when I gayned much in a weeke there hath beene the more layd aside for any good use & when trayding hath beene dead & the gaines lesse, there hath beene the lesse layd a syde for this stocke & use, which course [149.] I have constantly kept above this 40 yeares and which I now mention the more particularly, not in any way of boasting for any good worke that I have either done or can doe for I know if God should enter into judgment with me for any or the best of them all, he might justly reject both me & them as abhominable but y<sup>t</sup> all that know it or may heare of it may take notice of the blessing of God upon such a free and voluntary course, w<sup>ch</sup> some others when they know it may be wilbe willing to imitate and blesse God for it, as some in old England have done to there great content & satisfaction by w<sup>ch</sup> meanes I have had comonly lying by me 50<sup>lb</sup>. 60<sup>lb</sup>. or 80<sup>lb</sup>. ready money especially in old England & some pretty quantity here, till more lately since money hath beene so scarce amongst us whereby I have beene fayne to borrow out of that stocke my selfe for my owne necessary use & occasions when I have wanted money of my owne & a good comfortable helpe it hath beene to me that way in many pinches, but doe still keepe a carefull account what at any time I take out & pay it in againe as money comes to hand, out of w<sup>ch</sup> stocke usually lying by me I have had opportunitee to lend to any poore godly Christian or Minister in neede (besides what I give away) 40<sup>s</sup>. 5<sup>lb</sup>. or a greater s<sup>u</sup>me to helpe them in a straight & to make use of it in there trades for a convenient time which I have done [150.] some more good then if they had at another time so much given them, sometimes I have ventured p<sup>le</sup> of it to sea, that the benefit of it might redound to the stocke for the poores use, by w<sup>ch</sup> meanes also I could more readily & willingly give away twenty shillings or five pounds at a time upon any motion to a charitable use, if the occasion hath beene weighty, then either my selfe or some other good men of better estates could part with so many shillings had it not beene for such a stocke in a readynes.

It is true that since I have given over trading in this Country & since the way of trade is not so much for ready money as for exchange, as for Corne, Cattle & other Comodities I cannot lay aside weekly as I use to doe formerly, therefore by casting up my estate w<sup>ch</sup> comonly I doe once every yeare I can see what I am increased in my estate and accordingly I doe lay aside yearely answerable to what I gett in the whole.

Unto w<sup>ch</sup> stocke of the poore I am indebted at this time being M<sup>o</sup>. 6: 12: 1653 One hundred pounds starling or 101<sup>lb</sup>. as nere as I can gesse, besides all the money that is now in Cash in 2 private boxes that are within my Cabinet in my Closet at Boston, the papers within each boxe will shew there being as I remember ten pounds in New England money with some Old England silver & some what more [151.] then tenn pounds in the other secret box in which is two ten shillings pieces of Barbere gold & 258 single two pences, pence & halfe pence, w<sup>ch</sup> boxes are to be unlocked or opened with any ordinary pinne or needle thrust into a small pinhole that is there against a piece of steele which easily will give backe, haveing added to the whole stocke of my owne formerly 17 or 18<sup>lb</sup>. and now three pounds more, w<sup>ch</sup> is 20 or 21<sup>lb</sup>. in all to make up the whole stocke 120<sup>lb</sup> w<sup>ch</sup> I give as the poores use, for that helpe & supply I have received from it, in the times of my owne neede, Now for this money I have nothing to doe but to take care that it be well payd in within one yeare or two at the most, after my decease, if my executor cannot with conveniency pay it in before, & to provide by the best way I can suggest or devise that it be also well disposed of improved & employed so (according to my owne purpose intent & desire in saving it together) that the stocke may still remaine & the profit of it yearely employed, so as it may doe good to many, as many yeares after my death & more, as it hath done in the time of my life, Now what my way & thoughts are for the



best improvem<sup>t</sup> of it, I have before proposed, if a more useful & profitable way can be found out both for y<sup>e</sup> p<sup>r</sup>serving of the stocke & augmenting the profit of it I shall freely leave it to the advice of my [152.] Executor & overseers with our Eld<sup>r</sup>s Deacons and Townsmen that shall then be or any other that can give better advice or propose a better way, but if the Townsmen Deacons or some other by there ord<sup>r</sup> shall refuse to give sufficient bond for this hundred & twenty pounds to secure the stocke then this my gift shall cease and become utterly voyd in respect of Boston, And I will and bequeath the sayd One hundred and twenty pounds to the use of Harvard Collidge in Cambridge to be improved as I shall hereafter mention, they takeing care to secure the stocke.

And for the Three hundred pounds which I have given to the Towne of Boston to build a Condit, a Market house & Towne house with a Library Grannere & Armore, as I have before mentioned if the towne of Boston shall slight or undervalue this gift or my good will to them therein & shall refuse or neglect to goe about & finish these sev<sup>l</sup>all buildings in manner & time before mentioned rather then they wilbe troubled with it, or add anything of theire owne for the finisheing of it, then my will is that this gift of 300<sup>lb</sup>. given to Boston for the uses of those buildings before mentioned shall utterly cease and become voyd in respect of Boston & those giftes that I have given with relation to those buildings as my Bookes to the Library &c. or any others of them that I have [153.] not before provided for & ordered shalbe & remaine to the sole use of the Collidge at Cambridge in the same manner that I have ordered the former 120<sup>lb</sup>. in Corne for the poore in Boston, in case the Deacons or Towne shall refuse or neglect to give security for the principall stocke as before is mentioned.

My true meaning herein is this that if the Towne of Boston shall sett upon one or two of these workes & neglect or refuse to carry on the rest (or some of the other that I have mentioned happely being done by the Towne before I dye) as if they should build only the Condit & Market house & not a Townes house or Library & Gallere or a Grannere & Armore & not a Condit or Market house &c. then my will is that my executo<sup>r</sup> shall give only such a proportion of this Three hundreth pounds as that worke or building shall come too, w<sup>ch</sup> they set upon only in relation to this gift of myne, compared with the value of the other buildings that I have likewise mentioned but they have left undone & that what upon that account shalbe reserved of the 300<sup>lb</sup>. shalbe for the use of the Collidge of Cambridge, as I have given the whole 300<sup>lb</sup>. in case the refuse or neglect to finish all those buildings or any of them within two or three yeares after my death as before I have ordered.

Now if the 120<sup>lb</sup>. and this 300<sup>lb</sup>. or any part thereof shall fall to the Collidge my desire is that it should be improved (not about the buildings or [154.] repaires of the Collidge for that I thinke the Country should doe & looke after) but for the use & helpe of such poore & hopefull scholl<sup>r</sup>s whose parents are not comfortably able to maintaine them there for theire dyett & learning or for some addition yearely to the poorer sort of fellowes or Tutors whose parents are not able nor themselves have not abillitie nor supplies otherwise to defray there charge and make there studies comfortable, so that my true intent herein may easily be discerned, which is not that one or two should enjoye the benefite of it all, or but for a yeare or two, but according to the proportion of that sune, which shall fall to the Collidge, my desire is that the godlyest & most hopefull of the poorer sort of scholl<sup>r</sup>s may have an addition to that which there parents allows them of 20 or 40<sup>s</sup>. a yeare a peece while they abide in the Collidge or till some providence may helpe there supplies otherwise or that as farr as it will extend, some may have the helpe of it for 2 or 3 yeares & then others may have the helpe & comfort of it 2 or 3 yeares after & so in order as long as the benefitt of this gift may continue or wheth<sup>r</sup> it may prove more usefull to dispose of it for an addition or an enlargement to the comons of the poorer sort of scholl<sup>r</sup>s which I have often heard is too short & bare for them.

Therefore because I have little insight in the [155.] true ordering of scholl<sup>r</sup>s & other things thereto belonging in a Collidge way & so possibly may dispose of my gift where there is lesse neede & that it may doe more good, if it had bene employed in some other way, I am willing to refer<sup>r</sup> it to the President Ffeofecs & Overseers that are intrusted with the care & ordering of



the Collidge & Scholl<sup>rs</sup> or Students, with the things thereto belonging, still taking in the Consent of my Executor & of such of the Overseers of this my will as shall then be alive & what they together shall judge to be the best & most needfullest way of imploying of it amongst the Scholl<sup>rs</sup> I shall consent too & when the certaine sune is knowne that doth fall to the Collidge, the President & Overseers may confirr with my executor & overseers & to cast up what such a Sune would purchase by the yeare for 20 yeares or a longer time & if they agree & my executor consent to it he may keepe the legacy in his owne hands & pay to the Collidge yearly for so long a time as they agree upon so much p<sup>ai</sup>nn out of some p<sup>ts</sup> of my lands or houses as they shall sett apart for that ende. I doe not enioyne it but only propose it & leave it to the will & consent of my executor as he shall thinke (with the advice of my Overseers wilbe most convenient for him, though I like best of paying of it yearly, if there should not appeare some great inconvenience to other parts of my land, to have any part of it engaged so long together, for the payment of such a [156.] rent, though I thinke that some one house or shop may be appointed for such an ende & some such way may be thought of as may prove no inconvenience to my executor or his estate more then to pay it out to the Collidge & to leave them to purchase with it somewhere else, for my will & desire is in this as it is in my former legacies that the stocke may be p<sup>rs</sup>erved by purchasing therewith some thing to the Collidge & the benefitt or profit thereof to be yearly distributed as farr as it will goe to the most necessary uses as I have before expressed.

And concerning my bookes that I have given to begin the Library with all in Boston, my will is that my brother Willson & M<sup>r</sup> Norton Eld<sup>rs</sup> at Boston or the teaching Eld<sup>rs</sup> that shall at the time of my death (after my wife and son Benjamine have made choyce of some bookes for their owne use as I have before expressed) may be requested to take paines to view over the rest of my bookes & such as they shall judge fitt for that use to take a pticul<sup>r</sup> note or inventory of them & so to take them into there owne keeping or to leave them with my executor if they will, till the time mentioned in this will be accomplished, that if the towne of Boston should not within three yeares after my death build a handsome roome for a Library & anothe<sup>r</sup> for the Eld<sup>rs</sup> & Scholl<sup>rs</sup> to walke & meete in, as before I have expressed, that then they may [157.] be delivered to the President or some of the Overseers of Herbert Collidge in Cambridge to be placed as my gift or addition to that Library that is already begun there.

I had in some of my form<sup>r</sup> Wills set apart some legacies for the trayning up of some of the Indians, as also of their children, to be taught to write & read & to learne the English tongue & had thought upon and proposed some wayes how to get of their children and youth that they might be so taught, as also that some of our scholl<sup>rs</sup> or young students might be encouraged to study & learne the Indian tongue exactly & they then to be set a part to confirr with to catechize & instruct the Indians in the grounds and principles of religion & to preach or prophecy to them in there owne language, as they should have bene ordered and directed either by y<sup>e</sup> Magistrates or Eld<sup>rs</sup> or both, I had also left some pledge of my love & respect to M<sup>r</sup> Elliott & some others that have taken paines to instruct & teach y<sup>e</sup> Indians in the wayes of God but the truth is that unkinde carriage of M<sup>r</sup> Elliott (that I may putt noe worse Tittle upon it) in seeking to interrupt yea to take away not only from myselfe but from some others also certaine ffarmes not given to us by the Gennall Court but my owne bought with my money of the wor<sup>sp</sup> my brother Dudley & some others but after it was graunted by the Court to be in that place & after I had [158.] bene at the charge to survey it, measure it, bound it, marke it & lay it out & after it was again ratified & confirmed to me by the Gennall Court & yet as I was informed by more then two or three that he would not be taken off nor psuaded by any nay by none that spake with him about it to surcease his prosecution or endeavo<sup>r</sup> to plucke it out of our hands againe for the Indians though there was land enough granted to them by the Gennall Court with out the bounds of any of our ffarmes w<sup>ch</sup> carriage of his would have much straightened my resolutions in what I had set a part for this great worke though no further helpe had come in for the carrying of it on, the action it selfe being very unsavory & offensive not only to our selves but to many oth<sup>rs</sup> if not to the most that had heard of it, though

they were not concerned in it as wee were, Therefore I would make it my request to the Reverent Eld<sup>rs</sup> of this Country not to be too stiffe & resolute in accomplishing theire owne wills & wayes but to harken to the advice & counsell of there brethren & to be as easily pswaded to yeeld in civill & earthly respects & things as they expect to p<sup>r</sup>vay<sup>l</sup> with any of us, when they have a request to make to us for one thing or another, least by too much stiffnes, to have theire owne wills & way, they hinder many good workes that may be pfitable to themselves and to the whole Country, But God [159.] hath beene pleased to provide such a comfortable supply, from larger & fuller purses to carry on this great & good worke amongst the Indians & fully to recompence all that labo<sup>r</sup> & take paines about it that they shall not neede the helpe of pticul<sup>r</sup> psons to make any addition that way.

Now concerning the Collidge at Cambridge because there is some doubt or uncertaintie in it whether the whole Three hundred pound or the fower hundred & twenty pound before mentioned or any part of it will come to the use of the Collidge, it dependng upon the will and action of the Church & Towne of Boston to accept or refuse it, upon the termes beforementioned, therefor if none of it or anything under the one halfe of the whole sume which is Two hundred & Ten pounds shall fall to the Collidge, Then I give and bequeath one hundreth pound of that which I had formerly set apart for the Indians to be now to the use of the Collidge w<sup>ch</sup> 100<sup>lb</sup> will purchase Twenty Cowes & those Cowes wilbe let for Twenty pounds a yeare & the stocke still p<sup>r</sup>served by a careful ordering of them, which Twenty pounds p anno I desire may be distributed & disposed of to the best good of the scholl<sup>rs</sup> as I have before proposed but if the whole 420<sup>lb</sup> or the one halfe of it should come to the Collidge, then my will is that this last legacy of One hundred pound shall become voyd or otherwise to stand firme & be made good unto them, after the three yeares tyme allowed to the [160.] Towne of Boston is ended which will discover wheth<sup>r</sup> all or any part of the form<sup>r</sup> sume will come unto them.

If any shall wonder or demand why I have let alone all these gifts and good deeds mentioned in this will till I dye & have not done somewhat in my life time, though not so much, when I might have seene the disposing of it my selfe & have helped to have sett them on foote & to have settled & mad a beginning in them & so have reaped the benefit of the pray<sup>rs</sup> of the poore & the comfort of such good acts while I had lived.

I answ<sup>r</sup> the pray<sup>rs</sup> of the faithfull is much to be desired & prized & to have the loynes & backes & bellies of the poore to blesse a man while he lives is a comfortable thing but that must be obtained in a lawfull & well regulated way, least while some have occasion to blesse, oth<sup>rs</sup> may take occasion to curse or reproach.

If indeed I had given nothing or but very little in my life time to any good worke or to releive the necessitie of the s<sup>t</sup>s or had done little or no good with that estate which God hath bestowed upon me then it might have beene cast upon me as a reproach but if I have endeavo<sup>r</sup>ed to honno<sup>r</sup> God with my substance & with the first fruites of all my increase & have endeavo<sup>r</sup>ed to doe good with what God hath bestowed upon me, so farr as I might likewise provide for the necessities of my owne family, the care of carrying on my calling & other [161.] dealings in the world justly a man is best able himselfe to judge what he can doe or what he can spare to this or that good worke, better than others that know not his charge straights or occasions, it is an easy matter for oth<sup>rs</sup> to carve large portions out of other mens estates & tell what they might or should doe, yet he may doe as much as his estate will pmitt comfortably or as God requiers at his hands, though all men doe neither see it nor know it, nor all that are in neede & deserve supply cannot tast of it, neither doe I thinke that God doth require a man to be so liberall in his life (except urgent necessitie calls for it at his hands) as thereby to cast his owne family into steights or wants or that shall disenable him comfortably to discharg his owne debts or engagements or to cary through the care & charg of his family) Then there is no just cause of censure

God doth not require that others should be eased & wee greived, but some have a speciall faculty to censure other mens actions & direct what others should doe or might doe, when they see not there owne defects or neglects & to extoll & multiply smale acts of their owne & undervalue greater in others, because they know them not, as if themselves could not have praise but by dispraising & censuring of others.



I answer that time past present & to come are all one with God, he takes notice of the purpose & intents of the heart, if it be really he is pleased [162.] to accept of the will for the deed & of good actions intended to be done, as if they were already done when there is just cause to hinder or prolong them, David had a good desire & purpose to build God a house in his life time but his providing & preparing that it might be built after his death was accepted yea better accepted of God then if he had done it in his life, if a man did looke after outward applause & the praise of men more then of God, it were a great inducement to doe all while he lived and nothing when he dyed but doubtles good workes provided for in a mans life, but not knowne till after his death, if they be free from superstition & an opinion of merritt is most free from ambition & popular applause.

I answer, when that uncomfortable trouble & censure past upon me in the Court, I was indebted neare or altogether Thirtie hundred pounds w<sup>ch</sup> was sufficient to have broken the backe of any one man in the Country, though he had bene of a better estate then my selfe & so would have done me if God had not carryed me through it beyond my owne expectation or foresight. Now my care (and according to my dutie if I mistake not) hath bene first to pay these debts, that every man might have his due honestly & without trouble or just complaint & withall to provide for my family w<sup>ch</sup> hath not bene small nor carryed on with a light or easy charge & yet with no more prodigallitie then [163.] what necessitie & a wise Providence hath called for at my hands, considering also the great losses that I have had by sea & land, and had I bene wanting in care for the discharge of either of these I should have borne the burthen & reproach with little support or comfort from the Country, I must have stoode upon my owne leggs or fallen into greater straights in respect of men whatsoever my publique good workes or bountie to others might have bene & in such a case they would not have bene so well esteemed but rather taken as fruites of my folly, prodigality or vayne glory & would not have wanted for variety of censures, according to severall men fancies & affections, but having now gott comfortably through or neare it, all those great debts and charges that I have bene at, so that I begin but now to breath as it were & through the great mercy & unexpected support & assistance of my good God to stand upon my owne leggs & doe but now as it were learne to goe alone I was not in a capacitie to doe it before, though God was pleased to give me a comfortable estate, but as soone as the Lord was pleased to carry me through my engagements then God putt it into my minde to think what I might doe in acknowledging my thankfullnes towards him not only in words but in some really actions or deeds, w<sup>ch</sup> purpose of myne I hope he will accept of, not according to what I have not but according to what I have [164.] though it could not conveniently be before but after my death, and how few my dayes on this earth may be he alone knoweth & it is in his hands alone to make good these my poore intentions & desires by preserving what now he hath of his goodness given to me, or by increasing of it through his blessing while I live & these are the true reasons why I durst not adventure upon such workes as these before, not for want of affection or desire but for want of convenient opportunitie and abillitie to doe it.

Item I give & bequeath to my loving son Major Benjamine Keayne over and above the third part of my cleare estate, both of lands goods & debts &c. as before mentioned & intended, the great Gold Emerod Ring, that was my wives fathers & now in my wives keeping, which I desire that he may keepe by him & neither sell nor give away as long as he lives, except some great necessitie should force him thereunto.

Item I give & bequeath to him further as my speciall gift to him my little written booke in my closet upon 1 Cor 11, 27, 28, w<sup>ch</sup> is a Treatise on the Sacram<sup>t</sup>. of the Lords Supper p Mr. Briarly, a little thin pocket booke bound in leather all written with my owne hand which I esteeme more pretious then gold & w<sup>ch</sup> I have read over I think 100 & 100 times & hope he will read it over no lesse, but make it his constand companion & that it may be as pretious to him [165.] as ever it was & as still it is to me, to let any one that desires have a copie of it I would not have him deny but else I desire him & hope that he will never part with it as long as he lives, I must acknowledge that in some of my former wills I did by speciall gift bequeath to him likewise my 3 great written paper bookes upon the exposition



of the Bible upon this expectation & request that he would carry on the same worke in manner as I have began which wilbe a worke of his whole life, but considering since, that he wilbe hardly able, nor it may be, willing to take so much paynes & considering also that such a worke as that should be appropriated to one man only, that may be so beneficiall & usefull to a society of men (except for the ende before mentioned) and is more fitt for publike then private uses & more usefull for scholl<sup>rs</sup> then others & considering further that I have given libertie to my son to make choyce of some bookes out of my study, such as he shall finde most usefull & necessary for his owne study & reading both Divinitie & Hestory therefore I have since thought it would be more usefull to give them to some publike library as now I have done & I would add only this that when I am dead upon the pusall of my study there wilbe found many bookes both printed & written (w<sup>ch</sup> I have read over) that have divers leaves turned downe thicke in them, they are only such choyce places w<sup>ch</sup> I intended & was a part of my constant [166.] worke while I lived, so farr as they concerne Scripture & Exposition, to transcribe into those 4 great paper bookes before mentioned & so I have generally done by all the bookes that I have & doe read, & should be glad if some ingenious young scholl<sup>r</sup> that hath a good legeable hand & a ready & willing minde that delights in writing & reading, were requested to carry it on till the worke come to be more nearely finished.

Item I give & bequeath to my loving wife M<sup>rs</sup>. Ann Keayne over & above hir third part of my lands houses the benefitt and profit whereof she is to have dureing hir naturall life I meane the third part of the rents & profits or due worth of all my lands houses & tenements which I shalbe possessed of, at the time of my death, as they shall yeeld being let out for yearely rent & so she to have the third part of the same to be yearely or quarterly payd unto hir she allowing out of the same a part proportionable to hir thirds as shalbe disbursed or layd out from time to time to keepe the whole in good repaires, or if my son Benjamine & she should agree to have some part of the land or houseing appropriated to hir owne use as should be judged equally to amount to the value of [167.] one third of the whole by the consent & advice of my Overseers, for hir to set & let during her life or by order of Court in case they should not agree, Then my wife to be engaged to maintaine & keepe in good repaire all such housing fenceing or inclosures & not to make spoyle or wast of any part thereof & to leave the same in good & sufficient repaire at hir death, that w<sup>ch</sup> shalbe so set apart for hir dowry or thirds, according to the true intent of our law here provided on that behalfe, I say besides these thirds & besides those bookes that she comonly makes use of for her owne reading & besides hir owne wearing apparell of all sorts I give and bequeath to my said wife One ffeather Bedd & Beddsteede with a ffeather Bowlster & one pillow, two white blanketts, one Rugg, two paire of sheets, two pillowbers, with a paire of curtaines & valence suitable to her owne use, not the best of all that I have in my house, but the bedd with the furniture before mentioned, to be the second or next to the best of all if there should be any matteriall difference betweene them.

Item. I give & bequeath more as a further token of my love to hir, that great Silver beare bowle that was given to us both by M<sup>r</sup> Prescot at the time of his death, I meane he gave us 3<sup>lb</sup> to buy a piece of plate, with which & some additions of my owne money putt to it I bought this cupp, which ingraven upon the boule thereof to [168.] be the gift of M<sup>r</sup> Prescottt to us, Now because I know that I shall leave (God being pleased to blesse & prosper that estate which now I have) a comfortable estate both to my wife & son, in the third part of my whole cleare estate, my debts being payd to my son & the third part of my land & housing or the due value thereof w<sup>ch</sup> I have given to my wife dureing hir life & at hir death the same to returne againe free & without intanglem<sup>ts</sup> in good condition & repaire w<sup>thout</sup> trouble & molestation unto my son & heyre Major Benjamine Keayne or to his heires executo<sup>rs</sup> & administrato<sup>rs</sup> in case God should take him away before his mother, to be disposed of by him or them as I shall further order by this my Will & Testament And because I have already given to my son Benjamine Keayne a comfortable portion at his marriage w<sup>ch</sup> is all that he can challenge, by agreement betweene my Brother Dudley my selfe & son at the consumation of that unhappy & uncomfortable match betweene them, therefor I hope my

son will not thinke much of what I doe here give away by legacies out of my owne estate or out of my owne third part but wilbe studious to pforme them according to my true intent I haveing besides what is before mentioned shewed both my care & love in leaveing him a comfortable estate, againe by what I now leave or give to him

And because I know I have not money to pay my severall gifts or legacies bequeathed in this will, my whole estate lying cheifly in land & housing with some debts, cattle, corne, houshold stuffe, plate & divers [169.] sorts of tooles & moveables for carting, plowing & that these legacies will lye cheifly upon my heyre and executo<sup>r</sup> to see discharged & pformed & as I would not wrong my executor by paying out the cheife & most vendable estate in legacies & leaveing the worst thereof to him for his portion or by by forcing him to sell off all the cattle or stocke of my ffarme to pay legacies & so to hurt or overthrow the ffarme & the profitte there of, for want of a stocke to let out with it, so on the other side I would not have my legacies stoped unpaid, or by any meanes diverted from their proper uses intended, upon any p<sup>r</sup>tence of having over given my estate, or more then I have left to discharge it with except some manifest declension in my p<sup>r</sup>sent estate (by fyre, death of cattle or the plunder of some enemy or some great change of the times or Government which should much alter the prize & value of houses land cattle & other goods from the Comon worth & estimate of things as they are now) should plainly appeare & in such cases it is just & equall that the legacies should beare a proportionable losse or abatement, as well as that other part of my estate which I have bequeathed to my wife & son, only that One hundred & twenty pounds given to the poore of the poores stocke & such particular gifts in plate or houshold by speciall name mentioned as to my wife & son excepted, they being payd fully as my debt

Therefore that all things may be carryed on equally & honestly, my will & desire is, that the rest of my whole estate may be appraised & justly & equally valued, not underfoote but to there proper worth & value, by some men of honesty that are skillfull & understanding in the severall sorts & kinds [170.] of goods or lands that is to be valued according to their best judgments & apprehensions as I have before ord<sup>d</sup> & these appraisers to be so informed by my executor or overseers before they goe about it, what my will & desire is here in<sup>wh</sup> done & the value cast up, my son having not only a third part in my land but also of my goods cattle & the rest of my estate he may make choyce of such part of the houshold stuffe cattle or other goods as he desires amounting to a third p<sup>t</sup>. of them at the prizes they are valued at, if he will have so much in goods & if he would have more, or some other pticular things of the goods above his part mentioned by will, then he to pay as much for it as any other would doe to have the same, so also if my wife should desire any part or pticul<sup>r</sup> thing of the houshold stuffe or goods or rings or piece of plate for her owne use besides what I have given to hir, she to have it before any other she givinge the full value & as much as any oth<sup>r</sup> would give for the same things without fraude & not to take them at their owne prizes, or at halfe the worth & without being accountable to the estate for it, which done & the stocke for the ffarme p<sup>r</sup>served what it may, the rest of the goods and houshold stuffe & all other things that can be spared to be sould to the best advantage & to pay the legacies with it, as farr as it will goe, or it is like that many of the Legatees wilbe willing if they be made acquainted with it, yea & choose to take there legacies out of such houshold stuffe & goods, as you would sell & part withall & [171.] so likewise for the overplus of y<sup>e</sup> cattle & if these things & my debts will not discharge all my legacies then some part of my housing or land must be sould or engaged or set a part to make them good, only I conceive it is best for my son to keepe his inheritance whole & to part with the more goods cattle, houshold stuffe, debts, bookes, or what else may better be spared to pay legacies then quit to sell away, the most part of the land or housing w<sup>ch</sup> I leave to his owne best consideration, and to the advice & counsell of my overseers of this will which I doubt not will advice him & helpe him by there counsell to doe that which shalbe most comfortable for his well being, especially seeing I have given him some considerable time for the payinge of the legacies that I might not put him upon streights to pay all on a suddaine, though I thinke it wilbe his wisdom to pay them, especially



the smaller giftes as fast as he can by degrees, as debts or pay comes in though somewhat before the time mentioned, and my motion about my sonnes keeping his lands & inheritance rather then goods, is because my desire is that he would resolve to live here in this country & here to settle his aboad so long as he can enjoye his peace & keep a good conscience & live comfortably which I thinke he may doe as well if not better then in any other part of the world, that I know of except the times should much alter & here he will have a comfortable estate to live upon without any great paines or distraction & if he should have an intent to remove himselfe into England to accomplish that he wilbe forced to sell his land it may be for halfe the value [172.] of it, therefor my desire is, that he would resolve to live here where he may enjoye God & his Ordinances in peace & doe good in his place & helpe to carey on the worke of God here, except some impulsive & unexpected occasion should call him away & such as the Overseers or the Godly Eld<sup>r</sup> should judge to be a call of God, to carry him away & in such cases I would not so much as in my minde or desire be found a fighter against God or his will for any endes of my owne.

Item I give & bequeath to Hannah Keaynemy son Benjamin's daughter my Grand child Three hundred pound for a legacy, to be payd to hir on the day of hir marriage or at the age of Tewenty yeares which of them shall first happen, so hir marriage be not before the eighteenth yeare of hir age, and in the meane time my will is that within two yeares after my death this stocke or legacy may be put forth upon good security to the best advantage & improvem<sup>t</sup> that it may (during the times before mentioned) in such a way as it may be best & safest to imploy it in, except my son Benjamine desire to keepe it in his owne hands upon the termes before and after mentioned which I should like well of, he agreeing with my overseers what to allow yearly for it, while he keeps it in his hands & giving security to them on his daughters behalfe for the whole the disposing & ordering of which 300<sup>lb</sup>. I leave to the counsell & care of my execut<sup>r</sup> hir father with the overseers, as also with the advice of hir Grandmother, not only how the stocke may best be [173.] ordered but how she may best be educated & brought up in the feare of God & learning, the proffit of which money yearly may be for hir dyet, clothes & learning (a part of which my desire is, may be to teach her to write well & to cipher in a reasonable manner & if I thought she would not addict hir selfe to it or that hir father or grandmother should neglect to have hir taught therein I would take away a good part of this legacy given to hir) till she come to receive it hir selfe as above said & what can be yearely spared out of the produce & proffit of the stocke, that to be reserved for the increase of the maine stocke, more I would have given to hir but that I know hir father will have a good estate & having yet no other child but she, wilbe able to give hir more then she will deserve. besides what the love & tender affection of hir Grandmother will lead hir too, however if neither of them should doe more for hir, this of it selfe through Gods blessing wilbe a comfortable portion for hir maintenance, so she be not cast away in hir match, if God be pleased to bring hir to that estate & my request & desire both to hir father & grandmother & also my overseers that all care may be taken not only for hir good education but also for hir marriage that she miscarry not that way but may be bestowed of some man truly fearing God & of good esteeme & report of such as doe feare him, and my speciall charge to hir is (& it should & will be of weight to [174.] hir if the feare of God be placed in hir heart) that she would not dare to set hir affections upon any in that kind, without there advice counsell & helpe viz<sup>t</sup> hir father grandmother &c. in such a choyce, Now if it should please God that Hannah should dye before the age of Twenty yeares unmarried or before eightene yeares married then if my son Benjamine Keayne should have any other child or children of his owne lawfully begotten & liveing at the death of Hannah, if he have but one then I give Two hundred of that 300<sup>lb</sup>. to that one, if two then they to have, the 300<sup>lb</sup> betweene them, if three then they to have One hundred pound a peece to be payd to them when either of them shalbe married & upon the same termes as it was given to Hannah Keayne as above, if my son have but one child then the odd hundreth pound I give to himselfe & the other 200<sup>lb</sup>. to his child as before but if it should please God to take Hannah away before she comes to enjoye hir portion & my son have noe other child I give Hannah liberty to dispose of 10



or Twenty pounds of this portion in legacies to hir freinds if she should dye but a yeare before she should received it, then I give the whole Three hundreth pounds as followeth, namely One hundreth pounds thereof to my loving wife Mrs. Anne Keayne if she be liveing at the time of Hannahs death and the other Two hundreth pounds unto my son Benjamine hir father, if he survive hir [175.] and if my wife should be dead before hir grandchild comes to age, that hundreth pounds that I give to hir I give to the Collidge at Cambridge in New England & if God should so order it as to take away the life of my son before his daughter Hannah dye & he leave noe issue behind him & that Hannah should dye before she comes to receive her portion as before, Then I give & bequeath that Two hundreth pound likewise that my son should have had unto Harvard Collidge in New England to disposed of as I have formerly made mention of, with all the profitts & benefitts of it but what of it hath beene expended upon Hannah before hir death, or at hir Burriall, or if Hannah should dye but a little before she comes to age as a yeare or the like I give hir libertie to dispose of Ten or Twenty pounds of hir portion to gratify any of hir freinds in legacies if she desire so to doe and because my son Major Benjamine Keayne is now in old England & I am here & may dye himselfe before me though wee should not suddainly heare of it, or may be taken away before or in his coming hither or without making any will in relation to my estate, he not heareing or knowing what I have left him, or done for him, & therefore by will hath not disposed of any part of my estate at or before his death, in such a case or cases if God should so dispose of things Then my will is that his third part of my whole estate which I have given & bequeathed to him with all the benefit of any other part of my estate [176.] which shall acruce to him by virtue of his executo<sup>r</sup>ship with the Three hundred pounds given to his daught<sup>r</sup> Hannah, a part of which I have given to himselfe, in case she should dye, before she be of that age mentioned before in this will, if he should dye before he comes to enjoye that & leave no other children lawfully begotten of his owne body to inherite or possesse the same, which if he have then they are to enjoye his part as I shall after mention but in fayle thereof then I dispose of it in manner following.

Imprimis if my son should dye in debt justly to any man or men that can legally or honestly make it appeare to be so & was not payd or discharged before his death or the injoyeing of this estate of myne left to him, Then my will is that such debts of his out of this estate of myne given to him may be duly & honestly payd & discharged

Secondly That if my estate should fall short in any thinge as not sufficient to pforme all my gifts & legacies mentioned in this will according to my true intent & meaning, then, my will is, that any such defect shalbe made up & made good, out of this part of my estate given to my son, in case he should dye before he comes to enjoy & possesse it & make no will to dispose of it, or not of so much as by [177.] virtue of my will he should have enjoyed, if he had lived, These two things p'mitted, if he should be in debt & have not sufficient out of his owne peculiar estate to pay them & all my owne legacies given in this will made good out of it, if there should not be estate enough of my owne undisposed of, remaineing to doe it, as I apprehend & hope there will with a comfortable remaineing part left to my sons third part, if there be then I dispose of the whole, or of what part of it that shall remaine as followeth

Impri<sup>s</sup>. to his daughter & my Grand child Hannah Keayne fower hundreth pounds of it, upon the same termes as I have given to hir the Three hundred pounds before mentioned & in case Hannah should dye before she comes to enjoye this, then it as the former to be disposed of to one of my sone Benjamins children, or if he should have more children then one, then to have it equally devided amongst them, as before mentioned.

If my son Benjamine Keayne should have any oth<sup>r</sup> child or children liveing at the time of his decease besides Hannah Keayne, if it be one son or more, then his eldest son to have one halfe of the remaineing part of his fath<sup>r</sup>s portion & the rest of it that remaines, to be equally devided amongst his other children, Hannah Keayne also haveing a proportionable part in this also, if he have not above two children more liveing then besides hir selfe, though it be by anoth<sup>r</sup> wife then hir mother, if he should have but one son & noe othere daught<sup>r</sup>s but Hannah [178.] then that son to have one halfe of his fath<sup>r</sup>s portion as I said before, if he should have no son & yet have

one or more daught<sup>rs</sup> besides Hannah, then the one halfe of what I have given to my son is to be devided betweene them proportionably as I have mentioned before & it to be sequestred upon good securitie, that they may enjoye it when they come to age & the profit that shall arise out of there sevall portions to be imployed for there foode & rayment & for there good & carefull education in the feare of God & such learning as is needfull for them to be trayned up in, but if it should please God that my son should have no other child liveing at his death but Hannah Keayne & he dye before he knowes what I have given to him & so hath not disposed of it by his owne will as I have before mentioned

Then my will is that Hannah Keayne should have Two hundred poudes more out of her fath<sup>rs</sup> part, that is Sixe hundred pound in all besides the Three hundreth pound that I have given to hir of my owne

My will is that my loveing wife M<sup>rs</sup>. Anne Keayne hir mother should have One hundred pounds out of that part I have left to my son in case she be then alive

I give and bequeath to every one of my overseers mentioned in this will that shall then be alive & remaineing in this Country, out of my sons part Ten pounds a peece for there care & paines [179.] taken & to be taken in the discharge of that trust & confidence that I putt in them all, to doe there uttermost to see this my will fullfilled & takeing order to the uttermost of there power & skill that it may faithfully be observed & pformed according to my true intent & purpose therein

I give and bequeath out of my sons part in the cases before mentioned unto my sister Grace Jupe hir three children, of whome I have yet the care of viz<sup>t</sup>. Anthony Jupe my couzine Mary Jupe now Mary Mosse & Benjamine Jupe that now lives in my house, one hundreth pound to be equally devided betweene them & if either of them should dye before they come to enjoye it, then the other two to have fivety pounds a peece & if but one of them remaine, then that one to have the whole hundreth pounds.

Item I give & bequeath out of my sons part in cases before mentioned further to my loveing brother & sister Willson, with there two children in this Country my cousine M<sup>r</sup> John Willson Preacher at Medfeild & my Cousine M<sup>rs</sup> Mary Davenport at Roxbery one hundred & twenty pounds, that is to each forty pounds a peece & in case that either my Couzine John or my Couzine Davenport should dye before they come to enjoye it, then there parts to be given to there children.

Ffor the rest of my sons third part or what else should have accrued to him out of my estate by virtue of his executo<sup>rs</sup>hip or my gifts, as the third part of my land, which is to returne when his mother shall dye or Hannah Keaynes legacies [180.] & portion not before disposed of in case she should dye before she come of yeares to enjoye it or of my son Benjamins other children in case he should have any besides Hannah & they or any of them should dye before they come to enjoye what I have before given to them & have not otherwise disposed of it, I leave it to my overseers with the advice & consent of my wife while she remaines alive to order & dispose of it, to any such publike or charitable use or uses to the Towne of Boston or to the Collidge of Cambridge in New England or else where that they or the greater part of them in there wisdom & consciences shall judge to be most usefull & necessary & in such away that the maine stock be it more or lesse if possible may still be p<sup>r</sup>served to the said uses & endes as I have ordered in my other legacies of such kinds.

And my desire & request is to all my overseers that in case my son Benjamine should dye before his daughter Hannah Keayne should be of age to enjoye hir owne estate that they would be assistant to my wife hir Grandmother, in there best counsell & advice to dispose of hir for hir future education & learning, unto some such wise & godly M<sup>rs</sup> or family where she may have hir carnall disposition most of all subdued & reformed by strict discipline & also that they would shew the like care & assistance in seasonable time to provide some fitt & godly match proportionable [181.] to hir estate & condition that she may live comfortably & be fitt to doe good in hir place & not to suffer hir to be circumvented or to cast away herselfe for want of counsell & watchfullnes upon some swagering gentleman or others that will love more after the enjoying of what she hath, then liveing in the feare of God & true love to hir.



And my further desire & request is to all my overseers that if any whether it be my executo<sup>r</sup>, my wife, or any other, they haveing truly & justly received their owne parts & legacies that I have in my will bequeathed to them, if they shall keepe or desire to keepe any further part of my estate in their hands or any of the legacies mentioned in this will, while they come to grow due to be payd in, as some of them wilbe pretty long first, that they take good securitie from them for the severall sumes they shall so keepe or else to deliver them forth to such as will give securitie, that what I have intended for good may not by miscarriage want of discretion or care to manage it well or by any unfaithfullnes come to sincke or to be wasted & so the workes to which they were given or any of the parties to whome the legacies doe belong should be wholly or in part deceived or disappointed of that which out of my love for there good I have given to them unlesse it plainly appeare at the inventorying of my estate, or shortly after, that my estate will not reach to accomplish all things that I have given too & given away [182.] in this will, that then my wife, my heire, & Grandchild, with Anthony, Mary & Benjamine Jupe being first provided for out of my estate according to what I have given to them pticul<sup>r</sup> w<sup>ch</sup> I am bound both in nature & grace first to take care of, & they in conscience to receive & enjoye it, I say there legacies being payd or provided for, if any losse should be or any shortnes of estate happen by the change of times or otherwise, it must be abated proportionably, out of my other gifts to other psons & uses.

Item I give & bequeath to the three children of my owne sister M<sup>rs</sup> Grace Jupe now deceased, namely Anthony Jupe, Mary Jupe now wife to John Mosse of Boston & Benjamine Jupe now with me & under my care & tuition One hundred pounds out of my owne estate, besides what is mentioned before out of my sonnes estate in case he should dye as above mentioned, which hundreth pound I give after this manner, Thirtie pounds thereof unto my cousine Anthony Jupe to be payd to him or layd out for him in some such way as may bring him in some thing yearly rath<sup>r</sup> then to pay it to him at once except he be in some settled way, wherein it may appeare to my executo<sup>r</sup> & overseers that it wilbe more for his benefitt & advantage to have it together, then to have the benefitt of it yearely & this to be payd to him or layd out for him within two yeares after my decease if he be then liveing & he paying [183.] to my executo<sup>r</sup> or his assignes any such debt as shall appeare then to be due to me from him at the time of my death if any such debt should be.

Item I give & bequeath unto my couzine Mary Jupe now Mary Mosse Thirtie pound more out of the above said hundred pounds to hir owne particular use & benefitt, to be layd out within two yeares after my death in some such way that she may have the benefitt of it comeing in yearely for hir supply, if she be then liveing, only if her husband should owe me anything at the time of my death, that I have lent him or layd out for him or them before, I would have that deducted out of this Thirtie pound, or if it should be above Thirtie pounds then this legacy to cease & it to be accounted payd in the lew of so much debt.

Item I give & bequeath unto my couzine Benjamine Jupe (because he is lame & dime sighted & not like to doe much, if anything at all towards his owne maintenance) I give to him fortie pounds, if he be liveing two yeares after my death, and then to have it layd out in some such way or upon some such thing as may bring in a yearely profit towards his dyett & cloathing while he lives & at his death the stocke it selfe to be returned to my executo<sup>r</sup> his heires or assignes & this is besides the hundred pounds that I have given him before out of my sons estate in case he should dye before he comes here, only for Benjamine Jupe if it please God he should marry to an honest carefull woman with the advice & counsell of my wife & son Benjamin [184.] Keayne or by the advice & assistance of my Overseers & he should have one child or more by hir then my will is that not only the profit of this forty pounds after the death of the father may be continued to the children or child of his but that the stocke it selfe may be devided betweene them.

And though Anthony Jupe become to age & so fitt to dispose of himselfe & Mary Jupe is disposed of in marriage & have their meanes in there owne hands, with which two I have reckoned & have sett there accounts even, both of what I received by virtue of my executo<sup>r</sup> ship to there moth<sup>rs</sup> will & what I layd out for them & upon them while they were under my tuition &



care & have full releases & discharges from them under both there hands in my white boxe in my closet at Boston upon which my Cabenet stands, notwithstanding though they be now from me & at there owne disposing all saveing Benjamine, & notwithstanding all the care & paines that I tooke for them while they came to age I would yet show the affection of an uncle towards them in desireing & seeking there good, and because I have no other nearer kindred in this country that I know of, nor none that I can so well confide in, or that I may make so bould with as my loveing wife (& as I doe heartily thanke hir for that care paines & love that she hath already shewed to these three fatherles & motherles children since they came to me for my sake, they being otherwise untoward enough as children without discretio & consideration which I have kindly taken at [185.] hir hands & doe gratefully accept, my desire & request to hir is, that while she and they live in these part that she would looke after them & remember that they are the neare kindered of a husband that hath truely & tenderly loved hir, to owne them & doe for them, by hir conntiuace counsell loveing carriage towards them & entertayneing of them as neede shalbe, when they come to visit hir or take advice of hir about any thinge that is meete & to suffer them to want nothing, that she without p<sup>j</sup>udice to hir selfe may helpe them unto (whilst they take good courses fit to be owned & carry themselves loveingly & respectfully towards hir) & their necessities & steights calls for, if any such thing may befall either of them, And the same request I make to my son Benjamine Keayne to be assistant both to his mother & them, to doe unto them all what good he can, but if all or either of them shall grow proud, stubborne, undutifull or troublesome either to my wife or son or should goe about to molest or vexe either of them by the sinister instigation of themselves or others for them upon no just grounds or shall cast out contemptuous or or disgracefull speeches against them or my selfe after my death of which I know no just cause, having as I said before reckoned with Anthony & Mary Jupe & examined all the accounts betweene us before wnesse & with the helpe of oth<sup>rs</sup> chosen thereto & have there discharge & release, only with Benjamine I could not reckon, because he is not of yeares, [186.] but his accounts both of what I have received of his & layd out for him, ever since he came to me, is by it selfe in my vellum debt booke & I would have all just right done unto him, when his account comes to be examined & ended, but if they should goe about needlesly to molest or vexe either my wife or son instead of thankefullnes for all my love & care for so many yeares to y<sup>m</sup> y<sup>n</sup> my will is y<sup>t</sup> y<sup>e</sup> legacies y<sup>t</sup> I have given to them, namely to those that shall so carry themselves shall cease & be utterly voyd, unto him or them that shall so behave themselves in any troublesome or reproachfull way & not payd nor continued to them But for my couzine Benjamin Jupe because of his many infirmities & his inabilitie otherwise to helpe himselfe I doe in a speciall manner comend the care of him to the love & tendernes of my wife & son whome I have found to be very indullgent towards him & to see y<sup>t</sup> he may not be wronged, he hath comfortable maintenance left him, to beare the charg of his dyet apparrell & phisicke by fower pounds a yeare left him by his mother in a house at London also by some tenements in London left him by his uncle Mr. Nicholas Jupe which will produce 8 or ten pounds p anno to him for 18 or 20 yeares besides what I have left him in this will & if it should be thought convenient that he should marry for his future comfort & he inclyned to it, that then my wife & son would afford him the best advice & counsell in makeing choyce of such a match for him as may be for his future comfort & although possibly [187.] when he comes to age, my selfe being dead, he may desire to live with his sister Mosse which in some respects I should not dislike, yet if my wife be willing & finde it convenient to keepe him with hir, I knowing hir former care & tendernes to him, hir skillfullnes in sicknes & health to provide for him, I thinke he can be no where better then with hir, but if she should putt him out to board from hir selfe then I thinke his owne sister M<sup>rs</sup>. Mosse may be fitter to have him then a stranger, except my son should keepe a family here & would keepe him in his owne house, in case his mother should refuse it, else considering that my wife hath already undergone the trouble of his education from his childhood to this time, when he was farr more sickly & troubled with such infirmities that few would have beene willing to have received him into there house & not

haveing meanes enough by halfe to defray the charges that must necessarily be layd out upon him, but what he had from ourselves I doe thinke it most fitt that she before any other should have the keeping of him now, when he is more out of trouble & meanes to maintain him, which he had not before & it were an ill requittall of hir former love & paines to take him from hir now, when there is lesse trouble in keeping him, if she be still willing to keepe him, possibly I should have done some what more for them at my death, but God haveing provided for them so comfortably by the death of another uncle in London who hath given to each of them 8 or 10<sup>lb</sup>. a yeare a peece, for 18 or 20 yeares & I have otherwise [188.] beene at charge with them & have had many occasions of exercising my love towards them for so many yeares togeather, since they have beene with me I thinke they have comfortable maintenance, if they be wise to improve it, the best way for there owne good

Item I give and bequeath to my loveing brother Mr. John Willson our Pastor at Boston as a token of my love & thankfullnes for all his kindnes shewed to me Ten pounds wishing that my estate were such that I could have done for him & his as I desire

Item, I give & bequeath unto my loveing sister his wife, my wives owne sister Ten pounds to be wholly at hir owne disposing & for hir owne pticul<sup>r</sup> use & both these to be payd to them within two yeares after my decease.

Item, I give & bequeath to my couzine Mr. John Willson my Broth<sup>r</sup>s son now Preacher at Medfeild Thirty pounds & in case he should dye before he comes to receive this legacy, then I give Twenty pounds of the said legacy to his child or children to be equally devided between them in case he hath any alive at that time two yeares after my death

Item, I give & bequeath Twenty pounds to my couzine Mary Willson his sister now M<sup>rs</sup>. Davenport at Roxbery, if she be liveing two yeares after my decease

Item, I give & bequeath unto M<sup>rs</sup>. Cotton the wife of our deare & Reverend Teacher Mr. John Cotton deceased three pounds as a testimony of my respects unto hir deare husband in case she be alive & remaine a widdow within two yeares after my decease

Item, I give & bequeath unto o<sup>r</sup> Elder Olliver if he shalbe alive one yeare after my decease forty shillings as a token of my respects to him & in case he should [189.] be dead before then I bequeath the said legacy to his Grand-child the son of Mr John Olliver deceased to be payd in for his use within two yeares after my decease if he be then alive

Item, I give and bequeath to our Elder Colborne and o<sup>r</sup> Elder Pen Thirty shillings a peece as a token of my love to them to be payd within two yeares after my decease if they be then alive

Item I give & bequeath unto Major Gennall Gibbons as an acknowledgem<sup>t</sup> of my thankfullnes for his constant love to me Three pounds to buy him a Ring or a peece of Plate & to be payd two yeares after my decease if he be then alive & dwelling in this Country

Item I give and bequeath unto my ancient friend Reverend Mr. Norton Three pounds in case his aboad be with us here in Boston two yeares after my decease

Item I give unto our Brother Renolds shoemaker senior Twenty shillings as a token of my respects to him if he be liveing two yeares after my decease, not forgetting a word that he spake publicuely & seasonably in the time of my distresse & other mens vehement opposition against me

Item I give & bequeath unto Sarah Baker the daughter of John Baker that was sometime my Bayle, & the child borne in my house, forty shillings as a testimony of my respect to him to be payd to hir mother for the childs use, forty shillings in a heifer calfe that shalbe worth so much two yeares after my decease, if the child be then liveing to be kept & improved for hir till she be marryed or comes of age to receive it her selfe & to take some ingagem<sup>t</sup> [190.] of the mother or hir husband or who else it shalbe comitted to that it shalbe so kept for the childs use with all the increase of it, necessary charges for wintering &c being deducted for keeping

Item I give and bequeath to Edward Hall of Lyn Carpenter, as an acknowledgm<sup>t</sup> of all his former faithfullnes & loveing service to me (though of later yeares he hath carryed it lesse deserving & fuller oft more just provoca-



tion) Three pounds to be payd unto him two yeares after my decease if he be then alive & owe me nothing, if he doe then to abate him so much of his just debt, if he should be dead & owe me nothing, then my will is that this Three pounds may be improved to the use of his children till they come of age & that securitie may be taken of those it is delivered to that it shalbe so disposed of

Item I give and bequeath to William Ffeavor sometime my servant, forty shillings & to Alice his wife who was also my servant Twenty shillings if they be liveing two yeares after my decease & if they should owe me any thing, then deduct it out of there debt as I doe to Edward Hall

Item I give & bequeath to Robert Rand of Lyn sometime my servant forty shillings to be payd him within two yeares after my decease, if he be then liveing & in this country

Item I give and bequeath unto James Pemerton & his wife sometimes my servant & now partner with me at my ffarme, forty shillings two yeares after my decease, if he be then liveing, desiring him if he be then at my ffarme that he would doe the best he can [191.] in takeing care of what I shall leave in his hands & to be assistant to my wife & son in the best he can doe for there good and benefitt whilst he shall there remaine, either in his care or best advice to them in disposing of the ffarme for there best advantage if he stay not in it himselfe at my sons request

Item I give and bequeath to my Three Negars if they be liveing with me at the time of my death, namely to Angola, Negar, forty shillings & to Richard my Negar fforty shillings & to his wife Grace Negar twenty shillings to be payd to them in some young Heifers to rayse a stock for them two yeares after my decease, yea though they should be disposed of to any other place before by my executors & if they should be still kept or imployed at my ffarme or in the service of my son or wife I hope they wilbe as dilligent & carefull in there busines & as serviceable to them as they have beene to me while I lived

Item I give Richard Negars Legacy to his daughter Zipora if she be alive at my death

Item I give and bequeath to Mr. Whiting one of the Teaching Elders at Lyne forty shillings to be payd two yeares after my decease, if he be then liveing & in this country

Item I give and bequeath to Mr. Cobit the other Teaching Elder at Lyn, forty shillings upon the same termes as Mr. Whiting hath his

Item I give & bequeath to the two children of my wives brother Mr. John Mansfeild Ten pounds to be equally divided betweene them & to be payd in two cowes to be kept for the use of the children & the yearly profitts of them to be allowed towards the [192.] childrens maintenance yearly, but neether the cowes nor the profitts of them to come into the hands of the father or mother but to be layd out upon the children, either for clothes or dyet & they that keepe the cowes to give security to my executor or overseers, that they shalbe so reserved for the children, till they come to age & if one of them should dye then the survivor to enjoy that part with his owne, if they should both dye before they come to age, then that the cowes & the benefitt of them to be to the use of the father, if he be then alive, if dead, then they are to returne to my executor

And if any should be inquisitive, why I doe no more for him or his being a Brother

My answer is that this which I have done is more with respect to his sister my loveing wife that in reference to him, who hath proved an unworthy & unthankfull brother to me, though I have done very much for him in England divers times, in releasing him out of Prisons, in paying his debts for him, in furnishing him with a stocke to set up his trade, when he had spent all his owne, in takeing up many quarrelsome bussinesses, which he in his distempered fitts, had plunged himselfe into of dangerous consequence, yet I compounded them for him, & at his sisters my wifes intreatie, with some other friends of hers I sent him over into New England when his life was in some hazard, I payd his passage & some of his debts for him in England & lent him money to furnish himselfe with clothes & other necessaries for his voyage, for many yeares I [193.] found him dyet & clothes gratis, till for his distempered carriages & unworthy behavior I was fayne to putt him out



of my house, all the worke that ever he did for me, not being worth his cloathes, yet was he never quiet from disturbing my whole family & pursuing me with continuall complaynts to our Eld<sup>rs</sup> & others seeking to pull a maintenance out of my estate whilst himselfe lived idlie & spent what he gott in drinke & company keeping & so spitefull & envious he was to me, notwithstanding all my former care over him in seeking & endeavouring his good, that he would have cutt my throate with his false accusations if it had lyen in his power as it well appeared when time was, besides he owes me betweene 20 and 30<sup>lb</sup> it not more for 16 or 20<sup>lb</sup> of which I have his Bond for while he was in England, besides all that I have done for him since, yet he denied this to be his hand before M<sup>r</sup>. Winthrop our then Governo<sup>r</sup> & our Elders, till he was plainly convinced & sharply reproved for his falsenes, the rest is for what he hath had of me here though nothing be putt to account, for his sev'all yeares dyet cloathes & other things while he lived in my house, yet all this hath not bene worth a good word, if his humo<sup>r</sup> be not continually satisfied but all my kindnes hath bene putt into a broken bagg & cast upon an unthankfull p<sup>erson</sup> y<sup>t</sup> hath ever rewarded my good w<sup>th</sup> evill though I desire to forgive him & pray to God also that he would forgive him all his false reports & sinfull plots that he hath practised against me, when time was, for all the mercy & kindnes that I have shewed to him in his streights & necessities, and though some may thinke that these things had bene better concealed & buryed, yet seeing God hath not helped him to acknowledge his sine, nor truly to repent of it in my apprehension in these respects I thinke it is of use [194.] to convince such of there evill carriages & helpe them the more to take heede of the future, when they see & feele what they loose by it, & not to thinke they have the libertie of there tongues to abuse there freinds at their pleasure & yet looke to have as great supplies from their friendes & there estates as those that carry it more respectfully towards them & I thinke such vices are to be corrected this way when by other meanes they cannot be restrained, but his carriages in this kinde are pretty well knowne to others now as they are to me, though at first they were not so ready to beleive them but rather the contrary. Besides I know I shall leave to my loveing wife his sister a comfortable estate who I doubt not wilbe willing & ready to doe somewhat for him, if his carriage to hir as it hath bene to my selfe doe not hinder it, they that doe expect love from there freinds, had not need abuse them but rather show love & respect to them & I have the rather made mention of these things to vindicate my selfe from the censures of others who else might have thought the hardlier of me for seeming to neglect him

It may be some on the other side may marvell (especially some who have bene acquainted with some expressions or purposes of myne in form<sup>r</sup> wills) that I should give away so much of my estate in private legacies & to private uses, which might better have bene spared & to give little or nothing to any publike use for the genn'all good of the country an comonwealth but what I have [195.] appropriated to our owne towne of Boston

To answ<sup>r</sup> w<sup>ch</sup> doubt or objection I must acknowledge that it hath bene in my full purpose & resolution ever since God hath given me any comfortable estate to doe good withall not only before I came into New England, but often since to study & endeavor both in my life & at my death to doe what I could do to helpe on any publike profitable & genn'all good here, and what my thoughts & intents have bene about The Castle for publike defence, The Collidge & schooles for learning, the setting up of a Bridewell or Workhouse for Prison<sup>rs</sup> Malefactor<sup>s</sup> & some sort of poore people stubborne idle & undutifull youth as children & servants to have bene kept at worke in either for correction or to gett there liveing & some other things that I need not mention, in which things though I could not have done so much as I desired, yet so much I should have done as might have proved an example & incouragem<sup>t</sup> to others of greater estates & willing mindes to have done more & to have helped to carry them on to more perfection for I have held it a great degree of unthankfullnes to God that when he hath bestowed many blessings & a larg or comfortable outward estate upon a man that he should leave all to his wife & children to advance them only, by making them great & rich in the world or to bestow it upon some freinds or kindred that it may be hath no great need of it & to dispose none or very little

of it to publique charitable or good workes such as may tend to his glory & the good of oth<sup>rs</sup> in way of a thankfull acknowledgem<sup>t</sup> to him for so great favo<sup>rs</sup>

[196.] But the truth is that unkindnes & ill requitall of my former love cost & paines both in Old England & here w<sup>ch</sup> I have taken to promote the good of this place being answered by divers heere with unchristian, uncharitable and unjust reproaches & slaund<sup>rs</sup> since I came hither, as if men had the liberty of theire tongues to reproach any that were not beneficiall to them, together with that deepe & sharp censure that was layd upon me in the Country & carryed on w<sup>th</sup> so much bitternes & indignation of some contrary both to law or any foregoing p<sup>re</sup>sident if I mistake not & I am sure contrary or beyond the quality & desert of the complaynts that came against me, w<sup>ch</sup> indeed were rather shaddowes of offence, out of a desire of revenge made great by the aggravations of some to make them haynous & odious then that they were so indeed & this not in my owne judgem<sup>t</sup> only (which may be looked at as partiall) but in the judgm<sup>ts</sup> of hundreds that have expressed themselves, both then & especially since, & yet by some it was carryed on with such violence & pretended zeale as if they had had some of the greatest sines in the world to censure, that had it beene in theire pow<sup>r</sup> or could they have carryed it they would not have corrected or reformed but uttery have ruined my selfe & all that I had as if no punishm<sup>t</sup> had beene sufficient to expiate my offence, for selling a good bridle for 2<sup>s</sup> that now worse are sould without offence for 3<sup>s</sup> & 6<sup>d</sup> nayles for 7<sup>d</sup> & 8<sup>d</sup> nayles for 10<sup>d</sup> p<sup>c</sup> w<sup>ch</sup> since & to this day are frequently sould by many for a greate deal more, & so in all other things proportionably as selling gold buttons for [197.] two shilling nine pence a dozen that cost above 2 in London & yet were never payd for by them that complayned, these were the great matt<sup>rs</sup> in w<sup>ch</sup> I had offended, when my selfe have often seene & heard offences, complaynts & crymes of a high nature against God & men such as filthy uncleannes fornications, drunkenes, fearefull oathes quareling, mutines sabboth breakings thefts fforgeries & such like w<sup>ch</sup> hath passed with fynes or censures so smale or easy as hath not beene worth the nameing or regarding w<sup>ch</sup> I cannot thinke upon but w<sup>th</sup> sad thoughts of inequalitie of such proceedings w<sup>ch</sup> hath beene the very cause of tying up my heart & hands from doing such genn<sup>al</sup> & publique good acts, as in my heart I both desired & intended.

And though some out of pride & p<sup>re</sup>judice may misinterpret what I speake & slight any thing that either I would or could have done & possibly will say it is as good lost as found & undone as done, rather than they would thinke themselves behoulding to any man for theire gifts

To which I would reply that those w<sup>ch</sup> are willing to doe least themselves are most ready to slight & undervalue what is done by oth<sup>rs</sup>, but let such know that if they grow proud & high minded & scorne the kindnes & indeavo<sup>rs</sup> of oth<sup>rs</sup> that desire to doe more good then themselves God can & it may be will bring such high spiritts into a lower frame & putt them into such a condition that they may stand in need of the helpe of as meane & as much despised p<sup>er</sup>sons as my selfe before they dye, in the [198.] in the meane time it is not good for any to slight the least kindnes of there bretheren, though they should have no pticular benefit by it so the Country may faire the better, neither is it good for them to greive the spirits of y<sup>r</sup> brethren nor to oppresse those they despise nor willingly to quench or discourage them in any good they intend, for the time will come when I & they, the judges & judged shall stand naked before one Throne, where there wilbe no respect of p<sup>er</sup>sons, when all sentences & the causes of them wilbe called over againe, before a greater Judge & a higher trybunall then mans can be, where the accused shall have his just plea, as well as his accusers & where the sighes of the oppressed & wronged wilbe heard & a righteous sentence shall passe, not according to jealousyes suspitious reports & the claymo<sup>rs</sup> of envious & p<sup>re</sup>judiced p<sup>er</sup>sons incensed & stirring up others to joyne therein, but as the true nature of the case stands without p<sup>re</sup>judice or partialitie for all these are but leaden rules to walke by & often leade into erro<sup>rs</sup> & mistakes, makeing a moate in some men to be a mightie beame & anothe<sup>r</sup> mans mountaine not to be looked at as a smale moale hill, I know the loude complaints of such p<sup>er</sup>sons before mentioned (though the most of them I had never dealt withall for a peny nor they with me, & others that had were drawne in against theire owne minds & intents that had noe cause



nor ground of dissatisfaction in themselves as themselves have acknowledged) was the cause of that sharpe & severe censure more then the true nature of the things complained of did deserve w<sup>ch</sup> I must needs say if I should say no [199.] more, for I now speake the wordes of a man as if ready to dye & leave the world, when there is no cause to daube with my owne conscience to justify evill nor to extenuate my owne faults, that will againe be called to account, if not before washed away in the pretious blood of Jesus Christ.

I did submit to the censure, I payd the fyne to the uttermost, w<sup>ch</sup> is not nor hath beene done by many (nor so earnestly required as mine was) though for certaine & not supposed offences of farr higher nature w<sup>ch</sup> I can make good not by hearesay only but in my owne knowledge, yea offences of the same kinde & w<sup>ch</sup> was so greatly agravated & with such indignation pursued by some, as if no censure could be too great or to severe, as if I had not beene worthy to have lived upon the earth) are not only now comon almost in every shop & warehouse but even than & ever since with a higher measure of excesse, yea even by some of them that were most zealous & had there hands & tongues deepest in my censure, since of buyers w<sup>ch</sup> they were then, they are turned sell<sup>rs</sup> & pedling m<sup>ch</sup>ants themselves so that they are become no offences now nor worthy questioning nor takeing notice of in others & yet I would say the great cry of oppression & excessive gaines then considering the time that they kept the goods bought in their hands, before they could or would pay & the quality or rather the busines of there pay for kinde, yea contrary to there owne promisses in steed of gaynes there was apparent losse without any gaynes to the seller, & the oppression lay justly & truely on the buyers hand [200] rather then on the seller, but then the country being all buyers & few sell<sup>rs</sup> though it would not be scene on that syde then, for if the Lyon will say the Lambe is a foxe, it must be so, the lambe must be content to leave it, but now the country hath gott better experience in m<sup>ch</sup>andize, and they have soundly payd for there experience since, so that it is now & was many yeares agoe become a comon proverb amongst the most buyers that knew those times, that my goods & prizes were cheape peniworths in comparison of what hath beene taken since & especially the prizes of these times, yet I have borne this patiently & without disturbance or troubling the Court with any petitions for remission or abatement of the fyne, though I have beene advised by many friends yea & some of the same court so to doe, as if they would be willing to embrace such an occasion to undoe what was then done in a hurie & in displeasure, or at least would lessen or mettigate it in a great measure, but I have not beene psuaded to it, because the more innocently that I suffer, the more patiently have I borne it, leaveing my cause therein to the Lord

Yet I dare not subscribe to the justnes of that times proceeding against me, nor did my conscience to the best of my remembrance ever yet convince me that that censure was either equall or deserved by me, I speake not this to greive any godly heart or to lay any misinterpretation or scandall upon the whole Court or all the Magistrate in genn'all which I have [201.] ever thought my selfe bound to honn<sup>r</sup> & esteeme & submit to in lawfull things & I am not ignorant of the great debates that was in the Court about this businesse & that the prtended zeale of some of the chiefe sticklers w<sup>ch</sup> drew what parties they could to their opinion was opposed by a considerable number both of the Magistrates & Deputies as that there was no prooffe to witnesse nor no ground in law nor example to carry it as they did, & that there was more said by much in open Court in my defence then I speake here for my selfe & that not for any by respect or relation that they had to me, but from there own consciences and judgm<sup>ts</sup> & looked at it as most severe, though it may be they would not have wholly acquitted me, yea I know that the censure itselfe in that kinde & measure as it past, was against the desire & judgement of allmost the greatest number of the cheifest & wisest of the Magistrates & Deputies in that Court, for the fine was cast but by one vote, as I have beene credibly informed & by that one party himselfe as well as others & those that did yeald to what was done, did consent rather to p<sup>r</sup>vent a greater inconvenience (the oposite partie harking to no moderation nor reasons alledged) then approving of the sentence And our Honno<sup>d</sup> Govern<sup>r</sup> Mr. John Winthrop which is now with God, though as I heard at that time was rather against me then for me, yet not long before his death at a meeting at Cap<sup>t</sup> Tings house whether all our Eld<sup>rs</sup> & some



other with my selfe was invited, where he in his discourse with our Reverend Teacher Mr. Cotton & my Brother Wilson, my selfe with others sitting close by, he tooke occasion of his owne accord to speake of the proceedings of the Court in this busines, as if he had bene troubled [202.] or had had his mind exercised about it as that it was needfull & just to consider of that act againe, & by his speech it seemed to me & others that he had a purpose of his owne accord to have mooved the genn'all Court to recall that censure that had past against me, which was approved of by those he spake it to. I did not thinke meete to make any reply or to give him occasion of further discourse about it, because he had not made mention of my name as I heard though all understood whome he ment, Therefore about 3 weekes or a moneth after I went home to him & desired to know what his meaning was in such expressions that he had with our Eld<sup>rs</sup> at such a time & then he more plainly told me his meaning & I am confident that he hath bene much troubled in himselfe, that things past as then they did & that if he had lived he would have used his uttmost endeavor that my fyne at least should have bene restored back to me & not only himselfe but also some others not only of the Magistrates, but of the Deputies, yea some of them that were then against me, have said that they thinke the Court ought in justice to doe no lesse then to give me money againe Therefore I hope that what I have here writt out of the greife & trouble of my heart will be no offence to those whome I reverence in the lord & intend to lay no blemish upon in the least kind, nor to no moderate or impartiall man, either that was then of the Court or out of it for I intend not to give them just offence, if others shall & will misconstrue my true meaning, I must leave them to God unto [203.] whome I have & shall still comitt my cause & cry to him for right & I have many testimonies in my spirit that he hath righted me therein, not only in the hearts & judgm<sup>ts</sup> of many men that knew & heard of those proceedings, but also in my very outward estate that thought some intended it for my great hurt, yet God hath bene pleased to turne it to my good so that I have not since fared the worse nor lost by it but hath since carryed me through many & great engagem<sup>ts</sup> with comfort, And it is not unusuall in wills for men in there last & dyeing Testaments when they shall speake no more to make mention of such things as have troubled them in their lives & such acts as they could not submit to in there judgm<sup>ts</sup> which they have done in there sufferings, I could mention some in my owne time that I know, besides others I have read on, I will only mention one, Mr. Humphery Ffen a famous Minister at Coventry well knowne to many in this country a Nonconformist & therefore silenced by the Bish<sup>ps</sup>, in his last will and Testament, he made a full & open Protestation against Prelacy & the ceremonies for w<sup>ch</sup> he had suffered, but the times being then very corrupt, the p<sup>r</sup>lati<sup>c</sup>all party, when the will came to be proved would not suffer that part of his will to be putt upon the records of there Court & seeing there is a libertie given to the memb<sup>rs</sup> of this Court & to others out of Court, that if any acts passe & they cannot concur with the genn'all vote to make there remonstrance or protestation [204.] of discent so it be done modestly & without provokeing expressions, I hope therefore it will not be offensive for myselfe, that have bene & now am a member of the Court (when I first drew out this declaration in a former will) & also a member both of Church & Comonwealth (though unworthy) to relate the state of my case & declare my owne judgm<sup>t</sup> & discent (yea the judgm<sup>ts</sup> of hundreds more besides my selfe) in a case w<sup>ch</sup> doth so nearly concerne me & wherein I conceive I have received so much wrong by the practises of some that I forbare to name though I could poynt them out & have observed & could tell of Gods dealings with some of them since but I forbare, Therefore I would make this request to the overseers of this my will that all or some of them would (if they in there wisdom judge it not very inconvenient) to take a seasonable time to move the genn'all Court about it, to recall or repeale that sentence & to returne my fyne againe after all this time of enjoying it as that w<sup>ch</sup> I beleive is properly & justly due to my estate & will not be comfortable for the Country to enjoye I make no doubt but it will willingly be harkened too, though my selfe for some reasons sought it not while I lived though advised to it & I conceive it would be much for there honno<sup>r</sup> & would justify them in the hearts of many so to doe & would be no cause of greife to any of them in the great day of account, no not to them that were then most forward &

zealous of the prosecution, if any of them should be [205.] of that Court at that time & were it possible for me to know it certainly before I dye (though it be not for the love of the money, nor for addition to my estate by it, though it was a considerable sune about Eighty pounds as I remember) it would much ease & refresh my spirit in respect of the equity of it, And if upo<sup>n</sup> this motion of my overseers the Court shalbe pleased to consent, that my will is that what is so returned by them may be given to Harvard Colledge at Cambridge, according as I have proposed in my former gifts to that place or if they shall see any other worke more needfull upon w<sup>ch</sup> it may be disposed of, to more good or publicke use or service I leave it to the discretion of my overseers with the consent of my executo<sup>rs</sup>. But some wilbe ready to say that shall read or heare of the expressions in this my will, if I am & have beene of this minde so long, how can it stand with that humble confession that I made both in the Court & in the Church (when I endeavored in the one & did in the other give satisfaction without carrying a great appearance of hypocrisy or at least of repenting my repentings)

I desire in this to cleare my conscience both towards God & man & doe not thinke that these things are improper to be mentioned in a will, but very naturall & suiteable to it, Therefor I say first if my confession was humble & penetentiall, as is objected, that it did justly call for mercy & clemency & not for advantage & more sev<sup>e</sup>ty as some made use of it to that end, but with what equitie I leave both them & it to the Lord & [206.] (& to such a time where in they may stand in need of mercy themselves & shall not finde it, for there shalbe judgm<sup>t</sup> mercyles to them that show no mercy) to whome they must give an answer if some of them have not allready done it, if my confession was not humble & penitent, then the objection is needles, but I am glad the p<sup>r</sup>vailing paritie at that time so tooke it, though they looke upon it as an act of my guilt & use it as a weapon against me, but I thinke it wilbe a witness against them for there perverting of it.

I did not then nor dare not now goe about to justify all my actions, I know God is righteous & doth all upon just grounds, though men may mistake in there grounds & proceedings, Counsell have erred & Courts may err & a faction may be too hard & outvote the better or more discerning part, I know the erro<sup>rs</sup> of my life, the faylings in my trade & otherwise have beene many, therefor from God it was most just, though it had beene much more severe I dare not so open my mouth against it, nor never did as I remember but justify him, yet I dare not say nor did I ever thinke (as farr as I can call to minde) that the Censure was just & righteous from men, was the price of a Bridle, not for taking but only asking 2<sup>s</sup> for it w<sup>ch</sup> cost here 20<sup>d</sup> such a haynous sine, which have since beene comonly sould & are still for 2<sup>s</sup> 6<sup>d</sup> & 3<sup>s</sup> or more, though worse in kinde, was the selling of 2 or 3 dozine of great gold buttons for 2<sup>s</sup> 10<sup>d</sup> p dozine that cost 2<sup>s</sup> 2<sup>d</sup> ready money in London & bought at the best hand (such a haynous sin) as I shewed to many by my Invoice (though I could not at that instant finde it when the Court desired to see it) & since was confirmed by spetiall testimony from London & yet the buttons not payd for when the complaynt [207.] was made, nor I thinke not yet, neither did the complaint come from him that bought & owed them nor with his knowledge or consent as he hath since affirmed, but meerly from the spleene & envy of another, whome it did nothing concerne, was this so great an offence; Indeed that it might be made so some out of there ignorance would needs say they were coper & not worth 9<sup>d</sup> p dozine but these were weake grounds to passe heaveie censures upon, was the selling of 6<sup>d</sup> nayles for 8<sup>d</sup> p lb. & 8<sup>d</sup> nayles for 10<sup>d</sup> p lb. such a crying & oppressing sine though as I remember it was above two yeares before he that bought them payd me for them (& not payd for if I forgot not) when he made that quarreling exception & unrighteous complaint in the Court against me (he then being of the Court himselfe) as if I had altered & corrupted my booke in adding more to the prize than I had set downe, for them at first delivery, w<sup>ch</sup> if I had set downe 8<sup>d</sup> for that after 2 yeares forbearance, w<sup>ch</sup> I would have sould for 7<sup>d</sup> if he had payd me p<sup>r</sup>sently, I thinke it had beene a more honest act in me then it was in him that promised or a least p<sup>r</sup>tended to pay me p<sup>r</sup>sently that he might git them at a lower prize then a man could well live upon & when he had gott n.y goods into his hands to keepe me 2 or 3 yeares without my money & though all that while there was no fault found at the prizes but



when he could for shame keepe the money no longer, yet he will requite it with a censure in the Court, for my owne part as I did ever thinke it an ungodly act in him so I doe thinke in my conscience that it had beene more just in the Court to have censured him then me for this thinge though this was the cheifest [208.] crime alleadged & most powerfully carryed against me & other things drawne in to make this the more probable & to helpe to make up a censure as some farthing skeanes of thread &c. but the truth of the thinge was this, this man sent unto me for 2 or three thousand of 6<sup>d</sup> nayles, I sent to him a bagg full of that sort just as them came to me from Mr Ffoots in London, never opened nor altered by me, these I entered into my booke at 8<sup>d</sup> p lb. thinking he would have payd me in a very short time, it fell out that these nayles proved some what to litle for his worke, he sent them againe & desired me to let him have bigger for them, I tooke them & sent him a bagg of 8<sup>d</sup> nayles of the same quantity at 10<sup>d</sup> p lb. now because I was loth to alter my booke & to make a new charge I only altered the figures in my booke & made the figure of 6 a figure of 8 for 8<sup>d</sup> nayles & the figure of 8 that before stood for 8<sup>d</sup> a lb. I made 10<sup>d</sup> Now though he knew of the change of these 6<sup>d</sup> nayles for 8<sup>d</sup> (which I had quite forgot through my many other occasions) & the length of time that they had stood in the booke unpayd) yet this he concealed from me & from the Court also (but to make the matter more odious, he challenged me & my booke of falsehoode supposing that because he had kept me so long from my money therefor I had made the prize higher by altering the figures, then at first I had charged them downe & that I required 10<sup>d</sup> p lb. for 6<sup>d</sup> nayles & so carryed it in the Court, who was the more easily beleaved because he was a magistrate & of esteeme therein though it was a most unjust & untrue charge, & only from his owne imagination) till [209.] I cleared it by good testimony from an honest man in his owne towne whom he sent for the first nayles & did so bring them backe & received the bigger nayles for them, who came to me of his owne accord & told me he heard there was a difference betweene such a man & I which he said he could cleare & related the matter fully to me which I was very glad to heare, which brought all things to my minde & what was the ground of altering the figures in the booke which before I had forgott, though I saw it was done with my owne hand, and this was the very truth of the thing. I p<sup>r</sup>sently acquainted our Honno<sup>r</sup>ed Governo<sup>r</sup> Mr John Winthrop & some others who were very glad that the truth of that reproach was so unexpectedly discovered & cleared & many if not most of the Court was satisfied with it & saw the thinge to be very plaine in my debt booke, but the party himselfe would not be satisfied, but they were 6<sup>d</sup> nayles set downe at 10<sup>d</sup> p lb. though himselfe saw the figure of 8 as plaine as the figure of 10, Now I leave it to the world to judge, or any impartiall man, or any that hath understanding in trade whether this was a just offence or so crying a sine that I had such cause to be so penitent for (this being the cheife & pressed on with so great agravation by my opposers) except it should be that my actions innocent in themselves were so misconstered & I knew not how to helpe my selfe, especially considering it was no oppresseing prize but usuall with others at that time to sell the like so & since for almost halfe as much more frequently, as I thinke all know & yet both given & taken without exception, or at least without publike complaint, yea & the same gentleman himselfe, since he hath turned Marchant & Trader seemes to have lost his former tendernes of conscience that he had when he [was] way a buyer & not to be so scrupelous in his [210.] owne gaires taking for if I be not misinformed & I thinke I had it from very good information, of some of his neighbo<sup>rs</sup> yet living that knew well what they said, he agreed with some of the neighbo<sup>rs</sup> in his owne towne that he would send for or bring with him 1000<sup>lb</sup> worth of English goods for the good of the Country which they should have at easy rates & he would take wheat pease or any sort of Corne & Cattle for the pay they provided there pay according to agreem<sup>t</sup> but he fayled them in there first expectation having no goods come at all, yet another yeare he had a lesse quantity came & amongst them nayles & I beleeeve taken up upon credit & not payd for before they came, yet when they were come, Corne nor Cattle would not serve for pay nor trust he would not, but his demaunds are ready money & for the gaires he will have 6<sup>d</sup> in the shilling profit (w<sup>ch</sup> was oppression & exaction in the highest degree when he was a buyer) but that was not all neither, for if they payd in Spanish



money they must pay him there dollars at 4<sup>s</sup> 6<sup>d</sup> a piece which here went currantly at 5<sup>s</sup> and for his nayles they being scarce at that time his neighbor<sup>s</sup> being in want would have given him any prize or pay for them, but he would part with none of them, no necessity would p<sup>r</sup>vayle except they would buy all his other goods with them, w<sup>ch</sup> no doubt came at prizes high enough, which made his parcell lye somewhat long upon his hands & possibly was faire to fall both in his prize & pay after so many had refused them & to retaile some of them, for I was shewed my selfe some cloth bought of him at 18 or 20<sup>s</sup> p year, that if some others had sould the like at 15<sup>s</sup> p year, it would have bene thought worthy complaint [211.] And let me add one thing more of his practise, haveing obtained his desire against me in the Court, though not so fully as he would have had it, but being disappointed of his expectation in the Church, they not looking upon the complaints & witnesses as the Court did, he undertooke another unjust & unworthy attempt against me, in not only demanding but earnestly pursueing me for 200<sup>lb</sup> which he p<sup>r</sup>tended I owed him, I told him I never owed him 5 shillings in my life, he s<sup>d</sup> it was for 200<sup>lb</sup> y<sup>t</sup> his fath<sup>r</sup> had lent me in London & had assigned him to receive it w<sup>ch</sup> he never did, I told him I never borrowed any money of his father in my life, but at his request did receive some money, of w<sup>ch</sup> there was 200<sup>lb</sup> left w<sup>ch</sup> he desired me that it might lye by till he sent for it w<sup>ch</sup> accordingly I did & had payd it long before I came out of England, for this was about 2 years before I came to New England, when this gentleman came often to my house & received many curtesies frō me (though now they were all forgott) & in all that time I [he] never mentioned any such thing to me (for he knew it was payd) nor in 2 years after wee had bene in New England or there abouts, till this falling out, nothing that I could say would satisfy him, many letters past betweene him & I but nothing would doe except I could prove the payment of it w<sup>ch</sup> I was not able to doe, it being so long agoe & things much out of minde & many things passing through my hands in so great a remoovall from on Country to another, yet I thought I did not part with such a sume of money without takinge a receipt for it, I looked all my pap<sup>rs</sup> & writings where I thought it might be, but could find none, for in such a removee many writings might be lost, or at least so mixed with other things, so long out of date, y<sup>t</sup> there might be no hope of finding it, this made him [212.] more confident, so y<sup>t</sup> he threatened very seriously to sue me for it in the Court, but first that he might carry on his designe the better & make me the more odious, he made a great complaint to our Eld<sup>rs</sup> of my false dealing with him, because he thought they had bene too favorable to me in the former busines, he writt a very tart letter & full of complaints against me to our Rev<sup>d</sup> Teacher Mr John Cotton & Pastor my brother Willson, they acquainted me with it, I desired to see his letter w<sup>ch</sup> they gave to me, w<sup>ch</sup> haveing read I denyed his accusations I related plainely to them all things that I remembered about it, they seemed to be satisfied with my answer, they returned him an answer & wished me to write to him also but nothing would satisfy him, but he desires a hearing before all our Eld<sup>rs</sup> (& he being a Magistrat it could not without some show of disrespect be denyed to him) they acquainted me with it, I consent, a time was appointed when he & I should meet before all our 4 Eld<sup>rs</sup>: I p<sup>r</sup>ceiving now that what he did was not only in passion, but very serious intending to make me pay that 200<sup>lb</sup> twice over he haveing gott an advantage against me both from my words & in my writing that I had once such a some left w<sup>th</sup> me by his father, I began now to looke over all my writings more carefully to see if I could finde any writings that might cleare the matter or give any light to me about it, at last by a singular providence of God I found a cleare & full receipt in one of my bookes, to whome I had payd his 200<sup>lb</sup> [213.] where & by whose order w<sup>ch</sup> did much refresh me, that I should now be able to cleare my owne innocency & be able to discover the falenes & unjustnes of his accusations but I kept this private to my selfe that I might see how farr he would carry it & the uttermost that he intended to doe knowing this would helpe me at a dead lift, at the time appointed wee mett before our 4 Eld<sup>rs</sup>, he opened his complaints, made his accusations against me very plausible, they putt him in minde that possibly he might forgett & that he would consider better of it. No he was sure of it & professed before them that he never had penny of it from me, nor any oth<sup>r</sup> for him by his order, nor never had any account frō any man about it & carryed it as if I

did goe about to cozen & deceive him of it & when I made the unlikelynes of such a thing to be & demaunded if it were so why he in all that 2 yeares before I came to New England did not demand it of me, (he also knowing of my purpose to come) when things were fresh in memory & where I had opportunity many wayes to cleare it or else to have payd it againe, he was so passionately zealous that he intended as certainly to have made me pay it againe as I was certaine that I had payd it once before, when all that I could say & what o<sup>r</sup> Eld<sup>rs</sup> did say as the apprehended in so darke a busines (wherein there was no evidence on either syde but what my selfe had acknowledged) I could give him no satisfaction then I desired them to give me some time to looke amongst my writings againe for the receipt, which was graunted me & another time of meeting sett, when we came I kept my booke close & desired to know whether in that time he had not called to remembrance some thing about the payment of it or whether he was not indebted to some man that he might appoint to receive it for him [214.] for (for by the receipt I p<sup>er</sup>ceived that his father had either given or lent him this 200<sup>lb</sup>) which he utterly denying still I then produced my receipt for it, he read it & they all p<sup>er</sup>used it & sawe it faire writt by him that received the money, he acknowledged that he knew the gentleman a Linnen Draper in Cornhill & that he had dealings with him then & when he came for N. England but still said he had no account of him for this 200<sup>lb</sup> I told him that could not be but if he had not it did not concerne me, I charged him before them of the great injury that he had & farder would have done to me if the Lord had not cleared my innocency by the findeing of this receipt & I told them that I would write my selfe to the Linnen Draper about it & though he could not excuse it yet he had not a heart to submit so lowe as to acknowledg any fault to me, when he was gone I told ou<sup>r</sup> Eld<sup>rs</sup> that intended to sue him for the slaund<sup>er</sup> & injury y<sup>t</sup> he had done to me, M<sup>r</sup>. Cotton wisht me rather to forbear because of my late troubles & that it was no time for recriminations but after things were a little blowne over, it might be more seasonable to doe it, I followed his counsell, yet said I should not only cleare my owne innocency by it but also sett him out in his colo<sup>rs</sup> both in this & his former prosecutions of me.

But it may be some will alleadge in his defence that this was but his forgettfullnes, it being so long agoe & that doubtlesse he would not purposely have wronged me in so great a sune as that was

The greater the sune was the greater was his temptation to doe it. If his forgettfullnes should excuse him in telling so many untruths & affirming possibly so many falce things why should not my forgettfullnes have excused me why I knew not where my receipt was & when I spake the truth [215.] that I had payd the money, though I did not certainly know when, nor to whome with some other circumstances forgott, but they were rejected, nor all that I could say was esteemed of no value to him.

I must needs say that I cannot readely be of their beleife that so thinke though possibly there might be a slight, or a kind of willing forgettfullnes. But I appeale to all that know the man, & knew his estate both then & since as well as I did, whether it be a thinge likely that such a lumpe as 200<sup>lb</sup> should sincke downe & be so drowned in his estate, that he could not misse it in 3 or 4 yeares together, no nor when things were more fresh in his memory, or that he should appoint another to receive it of me & yet himselfe neither owed it to that man before, nor received nothing of him for it since, nor was not by either of them brought to account, neither before he came to New England (when in all likelyhoods they would reckon haveing had dealings together) nor never since, I know in those dayes he stood in as much money as other of his neighbo<sup>rs</sup> & that the remooving from one country into another for habitation is very chargeable & putts many of good estates to some streights for want of money to even & discharg many expences & debts, therefore that he should lett 200<sup>lb</sup> lye in my hands so many yeares without receiving any profit or forbearance for it, yea & quite forgett to call for it or to require some note under my hand or some security that he might have had some thing to shew him that I did owe him so much, seeing he was to leave the land & goe so long & dangerous a voyage by sea, it is to me so incredible that I cannot beleeve it. But this I doe beleive, that if I had dealt so by him & affirmed so resolutely things that were falce & untrue, though it had beene for the [216.] getting of a farr



lesse sume then 200<sup>lb</sup> from him, he would not only have judged me to be a lyar & a very falce & deceitfull man, but would have made the world believe, that I would have cozened him of so much money & would have thought me worthy to have stood in the Pillory or to have suffered some other severe punishment, that might have made me an example to all others. As it well appeared by his violent prosecutions of me in the Court for farr smaller offences then this, his nayles haveing the greatest shew, yet if some could have had y<sup>r</sup> wills they would have had the fyne mounted up to 1000<sup>lb</sup> yea 500<sup>lb</sup> was too little except some coporal punishment was added to it, such as my mans standing openly one a market day with a Bridle in his mouth or at least about his necke, as I was credibly informed, here was well guided zeale. It is true I was much greived & astonished to be complained of in Court & brought publiquely to answe<sup>r</sup> as a greivous malefactor, only upon the displeasure of some that stirred in it, more then properly did concerne them & to be prosecuted so violently for such things as seemed to my selfe & others so triviall & upon great outcries as if the oppression had beene unpareleld & when all things was searched to the bottome nothing of moment was proved against me, worthy of mention in a Court, but what I have here expressed, & yet no other way left me for helpe, things being carryed so highly against me by one party, as I had it by good informations, but by casting my selfe upon the favo<sup>r</sup> or mercy of the Court, as some had counselled me though since I thinke they have had cause to be greived for as well as I, because it had an effect contrary [217.] to expectation, that the meanes w<sup>ch</sup> should have p<sup>r</sup>ecur the more clemency was by some made an argum<sup>t</sup> of my greater guilt, if this should convince me of the equity & honesty of such mens moderation, w<sup>ch</sup> delight to turne things not to the best but worst sence, the Lord helpe me to see that w<sup>ch</sup> yet I have not done & was not the way to bow & melt my heart, but rather provoake it to cry more earnestly to God to doe me right in such a case, I confesse still as I did then & as I have said before, that the newnes & straingnes of the thing, to be brought forth into an open Court as a publique malefactor, was both a shame & an amazem<sup>t</sup> to me, It was the greife of my soule (& I desire it may ever so be in a greater measure) that any act of mine (though not justly but by misconstruction) should be an occasion of scandall to the Gospell & pfession of the Lord Jesus, or that my selfe should be looked at as one that had brought any just dishono<sup>r</sup> to God, (w<sup>ch</sup> I have endeavo<sup>r</sup>ed long & according to my weake abilitie desired to p<sup>r</sup>event) though God hath beene pleased for causes best knowne to himselfe to deny me such a blessing, and if it had beene in my owne power I should rather have chosen to have prished in my cradle then to have lived to such a time, but the good pleasure of God is to keepe me low in my owne eyes as well as in the eyes of others, as also to make me humble & penitent, least such mercyes should have lifted me up, above what is meete, yet I doe say still as I have often done before, that those things for w<sup>ch</sup> I was questioned (in the best apprehension guided by God's word, that I had then or have since attained to) did deserve no such proceedings as was carved out to me, though some blew up those sparkes into a great flame, & I am not alone herein, though it was my owne case, but many [218.] wise & godly servants of the Lord, as well as div<sup>rs</sup> oth<sup>rs</sup> were & still are of the same minde, yea some that were then much against me have confessed since to me, that things were carryed in a hurie.

Yea & o<sup>r</sup> owne Church, when they called all those complaints over againe, that was layd to my charge (as it was meete the should) to see how farr there was equitie in them & how farr I was guilty of all those claymo<sup>rs</sup> & rumo<sup>rs</sup> that then I lay under, they heard my defence equally & patiently & after all there exquisite search into them & attention to what others could alleadge or prove against me, they found no cause but only to give me an admonition & lesse they could not doe, without some offence, considering what had past in Court before against me, now if y<sup>e</sup> church had seene or apprehended, or could have proved that I had beene so justly guilty as others imagined, they could have done no lesse, then have excommunicated & cast me out of there society & fellowship as an unworthy member.

But it may be some will reply to this that my offences might be looked at with the same eye in the church as it was in the Court & that my penitency & godly or at least seeming sorrow might keepe off the churches censure though it would not the Courts.

It is true that in any thing wherein I might justly take shame or sorrow to my selfe God inclyned my heart not to withstand it for he that hydes his sines shall not prosper, but he that confesseth & forsaketh them shall finde mercy, in many this wee sinne all & who can say his heart is cleane, yet for the chiefe of the things that was most urged against me in Court & for w<sup>ch</sup> the sentence past against me, as the Gould buttons, the bridle, the nayles, the falcifying [219.] of my booke I did justify & stand to maintaine that they was evident mistakes & that I was wronged about th<sup>at</sup> as that they were 8<sup>d</sup>. nayles at 10<sup>d</sup> p. lb & not 6<sup>d</sup> that the buttons were Gould & not copper & that they cost 2<sup>s</sup> 2<sup>d</sup>. 2<sup>s</sup> 2<sup>d</sup>. p dozine in London sould here at 2<sup>s</sup> 10<sup>d</sup>. p doz<sup>n</sup> & that there was no oppression in that prize, that though the figures in my booke were altered, yet it was not for any such ende as was p<sup>re</sup>tended & urged against me, but upon that very cause that before I have related, here I had no cause of penetency or confession of guilt except it was for that I had beene so used & reproached about them against all equitie, but if they should have cast me out of the Church 20 times for this I should have chosen it rather then to have confessed my selfe guilty, for y<sup>e</sup> satisfaction of any, wherein I knew my selfe (better then any else did) to be innocent, though there was at the same time many in the church at this examination, that was of the Court & had there vote in my censure, that heard what my speeches were both in the Court & in the Church, w<sup>ch</sup> if there had beene any contradic<sup>o</sup>n, falsehood or contrary recantation in them I should have heard of it to my farther p<sup>re</sup>judice & yet I was more open & free in the Church in clearing the thing for w<sup>ch</sup> I had suffered those troubles then I was in the Court, I have beene the longer & more p<sup>ar</sup>ticular in this relation to ease my owne oppressed spirit w<sup>ch</sup> hath not beene a little burthened about this thing & to leave a testimony of my innocency, so farr as I was innocent to the world behinde me & how apprehensive I was & still am of the injury I then received therein, neither have I related nor left this testimony behinde me to censure or cast a reproach upon the whole Court, either upon all [220.] the Magistrates or all the Deputyes, for I am not ignorant how & by whome this was acted & carryed on principally & how many in the Court (both in there judgem<sup>nt</sup> & arguing with strong reasons against the illegality of there proceedings) would have freed & acquitted me. I lay the blame only upon such whose selfe ends & private p<sup>re</sup>judice did cheifly act them in this worke, I speake this of & to brethren w<sup>ch</sup> I know doe not looke at all there acts & proceedings so p<sup>er</sup>fect but that mistakes & misapprehensions may breake in & p<sup>re</sup>vaile sometimes & yet may be carryed on like a mighty river, that no bankes can stay it, nor keepe it within bounds & therefore I hope none wilbe offended but attend at any time to reason & to the just defence that any greived or wronged broth<sup>r</sup> shall make (seeing what was my case then may prove any of theres another time) when it is proposed in meeknesse of spirit, for the clearing of themselves & there owne innocency & easing of the heaving burthens of there hearts, as I have done at this time & with as much moderation as I can for I know it is not lawfull to speake evill of dignities nor to revile the rulers of the people nor to curse them in o<sup>ur</sup> hearts though they should be evill or doe evill to us, but labour to leave it patiently & to comend all to God that judgeth righteously w<sup>ch</sup> I have endeavo<sup>red</sup> to doe, yet I know that Pagans & Tyrants sometimes have admitted & mildly received & well interp<sup>re</sup>ted & taken in good part the just apologies that some w<sup>ch</sup> have beene oppressed by them, have writt in there owne defence, then those that are godly & Christian will doe it much more. Therefore I hope none will misconture my [221.] true meaning in this my will, nor draw my expression by any agravations contrary to what I have intended herein & for my selfe I desire patiently to beare the indignation of the Lord, because I have sinned against him.

But it may be some will object that the whole Court joyned together in my censure, and therefore I could not be looked at as innocent in the judgement of any of them.

I cannot safely say that they all joyned in my censure, for some might be & I thinke were Newters & so did not vote at all in it, neither doe I say that I was so innocent that I deserve noe reproof, But this I doe say that many in the Court stood to free me & endeavo<sup>red</sup> so to doe, but when that came to vote they had not number enough to carry it, then the question was what my



fyne should be, some flew high & named 1000<sup>lb</sup>. others mentioned 500<sup>lb</sup>. some againe would have had it but 30<sup>lb</sup>. or a lesse sum, others came to 80<sup>lb</sup>. so when those that would have cleared me quite could not carry it for the least sume mentioned, yet they carryed it against the greater sumes, then when it came to vote againe they carryed it from the 500<sup>lb</sup>. proposers to those that had proposed 80<sup>lb</sup>. & that was not because they thought the complaint deserved so great a fyne but they did it to p<sup>r</sup>vent the greater fyne for had not those that would have freed me, concurred with them that voted for 80<sup>lb</sup>. then the other partie had carryed it for 500<sup>lb</sup>.

It may be some may demaund how this can stand with a good conscience that I should keepe in memory such unkindnesses, as I have mentioned in this will so long & some of these p<sup>r</sup>judices are against Brethren & others to my dyeing day & whether these things had [222.] not better beene quite buried & concealed & how I could with any comfort receive that b<sup>l</sup>essed Sacrament of Love & keepe com<sup>m</sup>union with such either publikly or privately of whose carryages & actions I have such hard thoughts & how it will stand with that rule of Gods word, w<sup>ch</sup> com<sup>m</sup>ands us to love the brethren, to doe good to them that hate us, to pray for them that persecute us, to forgive our eneymes & to overcome the evill with our goodnes.

I answer & the rather because I desire to cleare my selfe from such offences & to satisfye such scruples as lye in my way & to give a reason of all my proceedings in these pticula<sup>rs</sup> that I may doe things in faith & not out of a passionate & discontented spirit & that to satisfaction if it may be, for I desire to walke according to the rule of a good conscience in all things & not knowingly to allow my selfe in any evill way & if herein I should err it is for want of light & not against it Therefore I say

There is many good & profitable uses to be made by remembring such actions of unkindness & other providences of God that have befallen us in our lives though friends or brethren have beene cheife instrum<sup>ts</sup>. therein & how God hath delivered us or stood by us in such tryalls & afterwards so this remembrance be not in mallice & wronge in our hearts.

There may be just occasions, not only to remember but to speake of them also, though I doe or have forgiven them, Our Savio<sup>r</sup> remembers his disciples unkind forsaking of him & flying from him in so great a tyme of need & Peters unthankfull denying & forswearing of them & not only speaks of it, but [223.] putts it upon record for all generations to take notice of, & yet he loved them, forgave them & kept comunion with them & so doth the Apostle Paul often, our Savio<sup>r</sup> Christ who hath left himselfe an example, keeps in memory & records the unkind usage of many Citties & Townes & the injurys that he received of his unthankfull cuntrymen to his dying day, so did the Prophets & Apostle not only remember but speaks how they carryed it, both in there Courts & Counsells against them, the Scriptures are full of example, my Brethren the s<sup>o</sup>nes of my mother have smitten me, yet that did not hinder them from a loveing converse or private Comunion with them & a redinesse to doe them good as opportunity was offered, much lesse might such unkindnesses hinder there owne acceptable ptakeing of the Lords Supper, though they did as it were tye the hands of our Savio<sup>r</sup> & his disciples or restrayne them from doeing so much good, in those places & to such p<sup>er</sup>sons as otherwise they would have done, Joseph forgetts not the unkindnes of his brethren to his death & speaks of it then & that without si<sup>g</sup>ne for ought I p<sup>er</sup>ceive by the Scriptures, Jacob in his last Will & Testament remembers & records the offences of his children & the injurys of some of them against himselfe he blesseth some & sharply reproves others & seemes to be much p<sup>r</sup>judiced against there actions & practise (though they were publike persons rather then private) & yet he loves them, kept comunion with them & no doubt had forgiven them

Unkindnes & injurious offences may be mentioned, though a man hath in his owne heart either past them by or quite forgiven them & that to bring them to a sight of such evils by which they have so offended & greived another, w<sup>ch</sup> before they might [224.] not so well consider, or had before more slightly past over, with lesse consideracon, that they may have occasion to call over such actions againe that they had forgott, that so if they find evill in them, they may now have the better opportunity to repent of them & to give satisfaction to those they have offended or wronged & to be the more

watchfull, that they may not deale so with oth<sup>rs</sup> yea it is a question whether a Christian be bound or that God requires it at their hands fully to forgive & finally forget all sinfull unkindesses or injuries till the parties that have done the wronge doe see their sine & say it repents them & seeke reconciliation & forgiveness of them so it was with Joseph to his Brethren, & so our Savior Christ saith if our brother say it repents him then thou shalt forgive him often, it is true if my enemy were in great extremity & I knew it & could helpe him I were bound to doe it & to doe good for their evill, yea to them that hate me as I desire to doe, yet there unkindnes may justly deprive them of a greater measure of bountie that might be intended towards them, then what is given to them for their necessitie, and though I should overcome evill with good, yet all a mans charitie is not to be limited to them, when there be divers others that stand in as much need that have never given such offences & may be fitter objects of such fruites of love, as wilbe more thankful to God & them for it, yea I thinke it is fitt that they should see they loose somewhat & fayre the worse for such carriages & misbehavio<sup>rs</sup> towards them that they [225.] should have shewed more respect & love unto, and th<sup>at</sup> much for satisfaction to all objections

Now concerning my wives thirds w<sup>ch</sup> I have given hir to enjoy, for hir comfort & benefitt during hir naturall life, out of my housen lands & tenements when it shall please God to take hir out of this frayle & temporall life I doe dispose of the same in manner & forme following

Item I give & bequeath the one half part thereof unto my sonne & heyre Major Benjamine Keayne to his owne proper use if he be then alive at his Mothers death, and the other halfe part of these thirds, w<sup>ch</sup> my wife enjoyed in hir lifetime I divide into two equall parts, the one of w<sup>ch</sup> parts I give & bequeath to my sonnes daughter & my Grandchild Hannah Keayne or the full value thereof

Item I give & bequeath the other halfe part of these thirds or the due value thereof (in case my executo<sup>r</sup> should desire to keepe the land or housing to himselfe) unto Harvard Collidge at Cambridge in New England, to be employed in the best way for the incorridgem<sup>t</sup> of learning either for the better helpe & releife of the poorer & godlier sort of scholl<sup>rs</sup> or towards fellowships as I have proposed in my foregoing gifts mentioned to that place & use according to the best advice & counsell of the President & Overseers or Feoffees of that Collidge that now are or then shalbe, they takeing in the advice & consent of my Executo<sup>r</sup> & Overseers of this my will, that now are or that then shalbe living.

And if it should please God that my son Benjamine Keayne should dye before his mother, if he have any other children lawfully begotten of his body besides Hannah Keayne then my will is that those children shall enjoy & possesse as there owne all my right [226.] title & interest in & to that halfe<sup>d</sup> part of my wives thirds w<sup>ch</sup> before I had bequeathed to himselfe in case he had lived, to be equally divided betweene them & to be improved to there best benefitt & advantage till they come of age to receive it into there owne hands, if he have but one child more then Hannah, then that one child to have it all, but if he should have no other child but Hannah Keayne then I give & bequeath that halfe part of my sones given to him out of my wives thirds unto the use & benefitt of the library in Boston if it be sett up & carryed on as I have before mentioned in this will I meane to buy fitt bookes for the increase of that library, but if it be not built & carryed on as I have before proposd then I give this legacy or halfe part unto the use & benefitt of the Collidge of Cambridge to be improved for the best benefitt thereof as I have expressed in my before mentioned legacies to the said place.

My minde & will further is that whatsoev<sup>r</sup> I have given in this my will to my Grandchild Hannah Keayne as hir legacy & portion, whether it be the first three hundred pounds or any other gift that may befall hir out of my estate by vertue of this my will may be so ordered & disposed that hir unworthy mother (sometimes the unnaturall & unhappy wife of my son, that proud & disobedient daughter in law to my selfe & wife) M<sup>rs</sup> Sarah Dudley now Sarah Pacye may have no part nor benefitt in or by what I have thus bestowed upon hir daughter, for it is not my will but directly against it, that she who hath walked so unworthely (that I may give it no worse termes) to us all, should have any releife or any thinge to maintaine hir in hir pride & contempt from



any thinge that ever was accounted mine, not that I would incourage the child to any rebellion [227.] stubborne or undutifull carriage towards hir mother, for God may breake hir heart & give hir true & unfayned repentance for all hir former evill carriages & so may justly deserve pitty and compassion, if she should stand in need, if God should cast any other estate upon hir, by hir father or grand mother, by a husband or otherwise, if the child's love & duty or the mothers necessitie & want should call for any such helpe or assistance frō hir, I shall not restrayne hir, but leave hir to hir owne libertie that way, But for any estate that I have given to Hannah Keayne (I yet seeing no change or unfayned repentance in hir mother) I doe here charge & require my son hir father & doe earnestly & hartily desire all my overseers that they would take care to see, as others so this part of my will fulfilled, that hir mother may have nothing to doe nor have any benefitt by any part of my estate, that I have given for the comfort & support of hir daughter, that if hir mother should goe about or so farr p'vaile with hir daughter by hir insinuations or the daughter out of naturall pitty or respect to hir mother should be acting that way or that she should seeke to drawe hir in to be ingaged for hir before these legacies comes to hir hands, upon hope of receiving these or paying any thinge out of them when they shall grow due & that Hannah refuse to harken to the counsell of hir father & my overseers herein but will follow hir owne or mothers minde heerein or those that shall advice hir that way contrary to this w<sup>ch</sup> I have declared to be my will. Then my will is that all my legacies from first to last given & intended by me to Hannah Keayne in that case doe cease & become utterly voyd to any use or purpose as concerning hir, saving what of it shalbe disbursed & layd out [228.] of it about hir maintenance & education during the time of hir minority, till she was capable by vertue of this my will to have received it into hir owne hands & what I have before so given to hir, I doe now give, if the same in the cases before mentioned, to hir father my son Benjamin Keayne & if he should be then dead, then to his other child, or if he have more then one, to them equally betweene them and in case he should have no other children but she, then I give it to the Collidge at Cambridge in N. England for the best furthering of learning there as I have ordered in former gifts to them, if she prove obstinate y<sup>r</sup> in

And my will further is concerning Hannah Keayne that she have no relation to hir mother in respect of hir education & trayning up or any aboad with hir, or putting hir out to board or learning, but my desire is that hir father & grandmother may have the care of hir education & may either keepe hir themselves or rather put hir forth to some such place where with the best care she may be trayned up in the feare of God & hir spirit subdued & kept in from outward extravagancies & the profit or benefitt of her legacies to be improved to discharge the cost of hir learning apparrell & dyet except hir father & grandmother wilbe at that charge as I have hitherto benee & then to let the improvement of hir legacy or legacies be kept for an increase of hir portion & added thereto, and in case hir grandmother should dye before she comes to years fit to receive hir portion & hir father should either be absent out of this country or dead, my desire is that my brother & sister Willson would take the care & charge of hir protection & education [229.] with themselves or else to finde out some fitt place with the advice of my overseers to w<sup>ch</sup> she may be comended & that they would be as a father & moth<sup>r</sup> to hir in theire care advice & counsell as for the good of hir soule so also to be a helpe & guid to hir in the choyce of a fitt match for hir, when she is capeable or inclyned to so great a change of hir condition, that the blessing of the Lord may goe along with it.

It may be there is some other of my freinds or kindred or acquaintance that I might have expressed my love unto had they come into my memory & I have endeavoured what I can to forgett none, but being forgotten I hope they will not be offended nor take it unkindly at my hands for I would not willingly forgett my relations nor show my selfe unthankfull to any to whome I am beholding for former curtesies or ingagem<sup>ts</sup> recall Therefore my will is that if at any time or times hereafter within the space of Twelve moneths or two yeares at most after my decease any pson or psons whatsoever in old England or New by vertue or by reason of kine or consanguinitie to me now not knowne or at least not remembered, may or can

clayme to have any lawfull intrest into or benefitt of any estate of mine by reason thereof & doe lawfully produce & prove the same, then to such of them as shall so doe, my minde & will is that my Executo<sup>r</sup> w<sup>ch</sup> I shall hereafter name shall pay unto the same pson [230.] or psons so lawfully clayming any benefitt by reason as aforesaid the sume of ten shillings a peece w<sup>ch</sup> I doe hereby give them to cutt off any furth<sup>r</sup> clayme of in or to the estate of me the said Testat<sup>r</sup> and likewise my minde & will is, that if any of my said legatees shall not be contented with the legacies by me given to them, but shall by any meanes prove vexatious or troublesome to my executor my will is that they & ev'ry one of them so molesting or vexing shall loose and forfeit there scv'all or respectfull legacies to the use of my executor

Item I give & bequeath unto my loveing son Majo<sup>r</sup> Benjamine Keayne all the rest & residue of my estate whatsoever moveable or imoveable that I have or shall not bequeath in this will, as also all those legacies bequeathed that that shall not be payd by the death or removeall of any of the legatees before the time of the legacies payable grow due or any overplus of my estate not disposed of, to the aforesnamed Benjamine Keayne, whome I make ordain appointe & by these p'sents constitute to be my full & sole Executor of this my last will & Testam<sup>t</sup> & doe desire that all occasions of difference or discontent or falling out betwixt his mother & he may carefully be avoyded & that all things about my estate may be carryed on in love & sweete agreem<sup>t</sup> as betwixt a loveing mother & a dutifull son & that they lay no unnecessary burthens each upō the other, but that my son as a dutifull child may ease his mother in what he can & free hir from any distractions [231.] in settling that part of my estate bequeathed to hir as it may be to hir best ease supply & comfort dureing hir life, and with all expedition to gather in my debts w<sup>ch</sup> at my death shalbe due unto me (w<sup>ch</sup> are a considerable part of my estate) & to take a just Inventory & valuation of all things that I shall leave behinde me & ev'ry thing that is sould to be putt away to the best advantage so that my legacies may neither be unpayd nor curtayled contrary to my true intent, there appearing sufficient estate to doe it if well ordered & improved & for that ende have given two yeares time & some more for the doeing of it, because I know it cannot well be comfortably p'formed without some hazard or dainger to my estate in a shorter time, And as a goode helpe hereunto I advice that my shop bookes, debt bookes & all my books of accounte may carefully be looked up, kept togeth<sup>r</sup> & dilligently p'used, seeing that almost ev'rything w<sup>ch</sup> belongs to my estate is by my selfe comitted to writing in one booke or other, either in my Day booke of what I buy or sell, or in my debt booke of w<sup>ch</sup> there is cheifly Thre in use namely one bound in Browne Vellam w<sup>ch</sup> I call Vellam Debt booke, the other bound in thin Parchm<sup>t</sup> w<sup>ch</sup> I call the new Debt booke, the third is bound in white Vellam w<sup>c</sup> I keepe constantly in my closet at Boston & is called my booke of credito<sup>r</sup> & Debitor in w<sup>ch</sup> is the sume of most of my accounts contracted where in there is accounts betweene my selfe & others w<sup>th</sup> y<sup>e</sup> accounts ballanced on either side as also an acco<sup>tt</sup> of my adventures by shipping with there returnes [232.] as also an acco<sup>tt</sup> of what debts I owe & how farr they are discharged, There is also in my closet a long paper booke bound in white Parchm<sup>t</sup> w<sup>ch</sup> I call my Inventory booke in w<sup>ch</sup> I doe yearly (comonly) cast up my whole estate & is a breviat of my whole estate from yeare to yeare & shewes how the Lord is pleased eith<sup>r</sup> to increase or decrease my estate frō yeare to yeare w<sup>ch</sup> wilbe of speciall use & concernm<sup>t</sup> to my Executors & Overseers to direct them in their proceedings about my estate, there being in it the valuation of my estate frō time to time except household stuffe moveable goods & such & wherein & in what the cheife p<sup>t</sup> of my estate lyes in w<sup>ch</sup> booke you will finde a pticular acco<sup>tt</sup> of what debts I owe my selfe to any at the time of my casting up, as also what was at that time owing to me, from others & by whome w<sup>ch</sup> I use to drawe breifly out of all my other debt bookes into that, as also an acco<sup>tt</sup> of such debts as I acco<sup>tt</sup> desperate or doubtfull, w<sup>ch</sup> I place by themselves & doe make them no part of my estate though some of them wilbe gott in & what debts I acco<sup>tt</sup> good either in Old England or New whether by booke of Bill, w<sup>ch</sup> debts by bills under the Debtors hands you shall find, all or the most of them in a Boxe together, in my Cabinet, w<sup>ch</sup> stands in my closet at Boston in the midle or biggest Boxe therein, some other Bills & acco<sup>tt</sup>s are in my Leath<sup>r</sup> Letter case w<sup>ch</sup> comonly lyes upon my table in that closet.



There is also divers acco<sup>ts</sup> & debts that are kept [233.] in sev'all sheetes of paper at my ffarme w<sup>ch</sup> cheifly belongs to my ffarme & acco<sup>ts</sup> there & are debts of the Iron works & the neighbo<sup>rs</sup> there abouts for things trusted from my ffarme, these had need to be carefully looked up, kept together from loosing & p<sup>u</sup>sed because they are all in loose papers & not in a booke w<sup>ch</sup> papers I keepe in my Truncke within my closet at the ffarme

Now in that Inventory booke before mentioned is also sett downe the particul<sup>rs</sup> of my estate in housing lands rents debts cattle of all sorts ffarmes, with some Plate, Jewells & some pticul<sup>r</sup> cheife things with theire sev'all prizes & valuations with a pticular of all the wares and comodities & corne that I had to sell at the time of my casting up either in my Closet Warehouses Sellars Garret, Corne lofts both at Boston & at my ffarme or anywhere else, with the names quantities prizes & sorts of them all as also a pticular of the charges that I have beene at yearely in building house-keeping apparell servants & workemens wages both at my ffarme & at Boston & whether I gained or lost by my estate that yeare & how much, only this caution & direction is to be taken notice of in that booke, ffor the debts that I owe my selfe to any man I sett them downe to the full, where I know certainly either by reckoning & agreement or by Bills what they are for other debts that I owe w<sup>ch</sup> depends upon reckonings & acco<sup>ts</sup> betweene us they having had some things upon acco<sup>ts</sup> of me & I of them & we have not had opportunity to examine & settle the acco<sup>ts</sup> betweene us to know justly what is due in such cases where I can but gesse there I comonly charge my selfe with the most & over rather then under. And for the debts that is due to me from others & doe depend upon my reckonings & accounts [234.] betweene us & so the exact debt is not certainly knowne at that time therefore in that booke I doe usually charge them or putt them downe lesse then my full due (unlesse they be in bills in w<sup>ch</sup> there can be no denyall or just exception of controversy in) so also in that booke I charge some debts under the head of doubtfull or desperate debts, not that they are all so in there owne nature, for many of them I have gott in my selfe & others may now also be gotten in or p<sup>t</sup> of them for if I looked at them as utterly desperate I would not trouble that booke with the mention of them therefore they have some life in them & to be gotten in, in p<sup>t</sup> or in whole for I see by experience that some debts that I have looked at as quite lost in 3 or 4 yeares after have proved good & many other that have beene ancient debts haveing in some place or other in that booke brought them to account I doe not ev<sup>y</sup> yeare post them over a new as being hopeles, but only take out here & there some if there appeare to be any new life or hope in them & this course I take because I would not delude my selfe in makeing my estate show the great<sup>r</sup> by bringing all debts or bad debts into account as a good estate, when they are not like so to prove, but when any of them are got in, they are an addition to the estate more then before was accounted upon so also for them that are there placed under the name & head of good debts, when you come to receive your pay, you are not to looke in this booke, what is there full & just debt, but to turne to there acco<sup>ts</sup> in the debt bookes, where the time & pticul<sup>rs</sup> of all things they had & the prizes agreed upon are [235.] set downe or to the bills under there owne hands

Amongst these acco<sup>ts</sup> & debts at my ffarme before mentioned w<sup>ch</sup> are kept only in loose papers (& w<sup>ch</sup> are many of them not putt into any of my debt bookes & therefore are to be kept as carefully as my other bills or debt bookes. There is a pticul<sup>r</sup> acco<sup>ts</sup> of all my Cattle & other things & what increase comes of them from yeare to yeare, what of them I sell away or kill for my owne use, as also what of them dyes by causalty or are lost by the wolves, & how many remaines of all sorts ev<sup>y</sup> yeare with there ages prizes & worth taken ev<sup>y</sup> spring or beginning of the New yeare by w<sup>ch</sup> you will see what living Cattle I have, of oxen, Cowes, Calves, horses, swine & in whose hands they are to require them, these with the Inventory booke of my estate before mentioned will be a good direction & great help to you when you come to take an Inventory of my estate & to value the pticul<sup>rs</sup> thereof in w<sup>ch</sup> also I doe use to sett downe the value of the Cattle at lesse then they are worth & then they would yeald if I were to sell them or to putt them off one by one, there is also the pticul<sup>rs</sup> of my ffarme & the value of it.

There is also at my ffarme a long paper booke bound in parchment, such a one as my Inventory booke in my closet at Boston w<sup>ch</sup> I mentioned before, w<sup>ch</sup> booke I comonly keepe in that roome at my ffarme w<sup>ch</sup> I keepe locked up for my owne use, in w<sup>ch</sup> is the pticul<sup>rs</sup> of the charges & profitts that I make of my ffarme ev'y yeare with an acco<sup>tt</sup> of the Corne & Apples & Butter & Cheese that is made & where they are with some debts therein due to me & some other acco<sup>ts</sup> to be Kept & pused

There is at my ffarme also many printed books both [236.] great & smale, Divinitie, Hystory, Millitary bookes & that I made use of there & some writen Sermon bookes both in my Closet & Chamber there. There is also some Plate as a Silver Porringer, a Sacke Bowle, a silver hot water cup, 3 silver spoones y<sup>t</sup> were kept for our owne use there, in a little boxe in my closet, there is also in my standidge at the ffarme w<sup>ch</sup> hath a locke & a key to it, some silver & peage in one of the private or secreet boxes of the same & this I keepe in my closet there & these things are besides all the bedding sheets linnen houshold stuffe dary vessells carts &c.

There is also at Boston a long paper booke bound in parchm<sup>t</sup> & kept in the closet there w<sup>ch</sup> is called a Receipt booke of moneyes that I have payd fro time to time, especially when they come home to receive there money, not that wee take receipts for all wee pay in that booke, Sometimes I take receipts upon the bill of acco<sup>tt</sup> as also for moneyes payd abroad, wee take them in papers & keepe them upō fyles. This booke is carefully to be kept as well as those pap<sup>rs</sup> that are fyled up, because it may cleare some things as doubts or objections that may come about debts long since that have beene payd by me, had this booke beene lost I had beene in great danger to have payd 200<sup>lb</sup>. twice over, w<sup>ch</sup> I have mentioned before in this will, but that after long search, amongst many bookes & papers I found the receipt of it in this booke, being before utterly denied that it was ever payd

There is another booke upon the table in my closet at Boston bound in Leather in Octavo w<sup>ch</sup> I call my pocket booke w<sup>ch</sup> is carefully to be p<sup>r</sup>served [237.] & pused, in w<sup>ch</sup> is a pticul<sup>r</sup> acco<sup>tt</sup> of my dayly or weekly expences & charges for Dyett, Apparell, housekeeping w<sup>ch</sup> is sumed up every weeke from yeare to yeare & what ev'y weeke charge amounts too, w<sup>ch</sup> will give light to many things, as what is payd to bakers butchers shops carting of wood rates & div<sup>rs</sup> such charges, to sev<sup>al</sup> psons possibly some of w<sup>ch</sup> may be demanded againe when I am dead, w<sup>ch</sup> this booke compared with there owne acco<sup>ts</sup> in my debt booke will easily cleare, And if any debt should be demanded of my executo<sup>rs</sup> w<sup>ch</sup> I have not made my selfe debt<sup>r</sup> for in some of my acco<sup>tt</sup> bookes or charged in that Inventory booke, except it should be some debt that hath beene made since the time of the last casting up of my estate, it may be justly suspected & the truth of it to be questioned for I am as carefull to charge my selfe with what I owe, as what is owing to me & usually once a yeare I draw out in a sheete of paper (w<sup>ch</sup> you may finde amongst other loose sheets of acco<sup>tt</sup> in my closet at Boston) all the debts that I can call to minde that I owe to any man, that so I may take care to pay them & in this drawing them out of my other bookes I place them altogether in these yearly pap<sup>rs</sup>.

There is 2 other bookes bound up in Vellam in my Closet at Boston w<sup>ch</sup> I call Number bookes w<sup>ch</sup> were of use when I kept shop in London & here but are not now as you may see by the date & things contained in them of any use now, you will meete with some other old Debt bookes as one at the ffarme bound in Leather in follio & others [238.] there & at home in parchm<sup>t</sup> in which you will finde many debts stand uncrost w<sup>ch</sup> I suppose by the Alphabets or in the margent against these debts you will find them posted or transferred into other debt bookes of a later date as the three debt bookes first mentioned except they be such debts that I have little hope to get in you will also finde in my closet at Boston a paper booke bound up in vellam of quarto w<sup>ch</sup> was sent me from London by my son Mr. Gray & my brother Jupe who had the care of receiveing the rents of the 3 children of my sister so long as the leases lasted, who was sub executo<sup>r</sup> to my sisters will in my steed, w<sup>ch</sup> booke contains only the acco<sup>ts</sup> belonging to the 3 children Anthony Mary & Benjamin Jupe in w<sup>ch</sup> is mentioned what money they have received in England ever since my sisters death, what they have layd out of it for the Lords quite rents, towards repaireing the houses &



other charges there & what they have sent over to me of it towards the charge of there maintenance here, w<sup>ch</sup> is needfull to have it safe kept, though there be the lesse use of it now because I have reckoned with Anthony & Mary Jupe & gave them an acco<sup>tt</sup> of what I had received & layd out for them, w<sup>ch</sup> acco<sup>tt</sup> was examined & pused by 2 or 3 friends on the childrens choyce & behalfe & I have received genn<sup>all</sup> releases & discharges from them, w<sup>ch</sup> are amongst my bills in my Cabinet & in another boxe that my Cabinet stands upon, there is only now Benjamine to reckon withall when he comes to age, but he will owe me more then his brother or sister for by reason of his lamenes & continuall sicknes I was at great<sup>r</sup> charg with him then with either of them haveing [239.] layd out 60 or 70<sup>lb</sup>. for him more then I received till his legacyes & rents given him by his Uncle Jupe came to be due to him, as you may see in his acco<sup>tt</sup> in the Vellam debt booke.

There is also in my closet at Boston a long white Boxe upon w<sup>ch</sup> my Cabenet stands, w<sup>ch</sup> is full of acco<sup>ts</sup> reckonings & releases betweene me & oth<sup>rs</sup> with some bills & bonds & receipts for purchase of lands & other things of long standing w<sup>ch</sup> I have allwayes carefully kept by me, to have recourse too when there hath beene need of clearing things done or payd long since w<sup>ch</sup> sometimes I have had speciall occasion to search over & so may you possibly if any thing should be brought into question of such kinds when I am dead, all w<sup>ch</sup> bookes & acco<sup>ts</sup> & writings I mention in this my will the more pticularly that my executo<sup>r</sup> especially & my Overseers may call for them, finde them all out & take speciall care for the safe keeping of them & to puse them dilligently, for if any one of them should be lost or conveyed away you would be at a great losse & much to seeke in my acco<sup>ts</sup> & may prove a great losse to my estate, and of the like use are many other written papers & bookes in my closet there, in loose sheets together & therefor to be p<sup>u</sup>sed & kept, some of w<sup>ch</sup> though they be evened & quite discharged long agoe & crost yet I keepe them by me that if any wrangling pson p<sup>t</sup>tending ignorance should call things to an acco<sup>tt</sup> againe as some have done by haveing recourse to those bookes & papers, I can shew them when & how & in what it was discharged & evened therefore very few of those papers are to be neglected or cast by, as if they were kept for no use at all.

[240.] And when all these bookes & writings (not only of debts & acco<sup>ts</sup> & worldly busines) but also of divinity sermon boockes & some of Millitary discipline & exercise & of Marchandize & divers other occasions w<sup>ch</sup> I have writt with my owne hand & divers other writings w<sup>ch</sup> are not now extant besides all that I have read & done while I kept shop & since with the care & toyle of my ffarme, if all these should be of no other use yet they will testifie to the world on my behalfe that I have not lived an idle lazie or dr<sup>u</sup>nish life nor spent my time wantonly fruitlessly or in company keeping as some have beene too ready to asperse me or that I have had in my whole time either in Old England or New, many spare houres to spend unprofitably away or to refresh myselve with recreations except reading & writing hath beene a recreation to me w<sup>ch</sup> sometimes is mixt with paine & labo<sup>r</sup> enough, but have rather studyed & endeavored to redeeme my time as a thing most deare & precyous to me & have often denied myselve in such refreshings that otherwise I might lawfully have made use of and therefore it were well if man were lesse censorious of other mens lives & actions & more watchfull over there owne, least they speake evill out of some private grudge of things they know not, and happy yea more happy would it have beene for me if I had beene as carefull & as exact in keeping an account of my sinnes & the debts that I owe to God & of that spirituall estate betweene God & my owne soule & that I could as easily have made it appeare to others or to my selfe when I gained [241.] or when I lost & to have taken as much paines this way as in the other, w<sup>ch</sup> though I cannot truly say I have altogether neglected or omitted, yet comparatively I may justly say I have beene greatly deficient in that one thing necessary But I hope the Lord in mercy will not impute it but freely p<sup>o</sup>don all my neglegences this way in the Lord Jesus Christ & for his sake only.

And because it may possibly fall out that my son who is my executo<sup>r</sup> may be out of this country (as now he is) at the time of my death, therefore if it should so prove my desire is that my loveing brother Mr. John Willson Pasto<sup>r</sup> of Boston would be pleased to stand in my sons roome as his substitute or to

desire my Cozine Mr. Edward Rawson Secretary or Leinel Johnson our Deacon or some other sufficient godly able man that he shall appoint or approve of to be Assistant to my loveing wife M<sup>rs</sup>. Anne Keayne & to transact all the busines of an Executo<sup>r</sup> till my son may be sent for & come in person to take charge of it himselfe, w<sup>ch</sup> service I did willingly p<sup>r</sup>forme for my Brother Willson when his Brother Doctor Willson dyed himselfe being in this country, for w<sup>ch</sup> kindnesse not only my selfe but my sonne & wife (I doubt not) will acknowledge there thankefullnes & if it should please God that my sonne should be dead before or dye in coming for so it may possibly fall out then my will & appointment is that my loveing wife should be sole executrix of this my last will & Testament dureing the time of hir widdow-hood & no longer, and to see all [242.] things p<sup>r</sup>formed herein according to my intent & hir uttermost ability, with the assistance & advice of my Brother Willson (as before I have expressed) whose helpe & faithfullnes herein I much depend upon to see all things carryed on right & straight as also by the helpe of the rest of my Overseers or the greatest part of them

And my desire & charge is to my Executo<sup>r</sup> & my wife in case she should be, or otherwise so farr as in hir lyeth, that they be faithfull & punctuall in the discharge of this my will to the uttermost of theire abilities & to p<sup>r</sup>vent all objections of the state falling short or that I have given away more then my estate wilbe able to make good for I would not willingly have none that I bequeath any thing unto if they be alive or in this countrey when there legacies grow due nor any publike use that I have given ought too to be defrauded or disapoynted of it, contrary to my true intent upon any seeming p<sup>r</sup>tences as it is usuall with many executo<sup>rs</sup> to the great dishono<sup>r</sup> of those that have betrusted them w<sup>th</sup> there estates & there owne too, for some private profits or endes of there owne except it should manifestly & clearly appeare to my overseers cheifely or any other honest & understanding men that it is not fraud but some cleare & apparent losse that is befallen my estate either by desperate debts w<sup>ch</sup> before I accounted good, by losse at sea or fyre, or by fall of Cattle land or other Comodities in the Country or some other unexpected providence or change of things here not yet foreseene, betweene the time of my makeing this will & my death or before my legacies are to be p<sup>r</sup>formed

Therefore my will is, if some such losse should come [243.] of it to no considerable value, that my Executo<sup>r</sup> should beare it out of his part, if the overpuls of my estate not bequeathed should not doe it, though he have somewhat the lesse for himselfe, except his owne part & legacies fall short also by some such considerable losse. But if there should be any such manifest chainge & losse in my estate then my will is that all my legacies should beare a proportionable share in that losse by way of abatement as they are payd or by the omitting wholly of such gifts as are to some publike uses, w<sup>ch</sup> shalbe judged by my Executo<sup>r</sup> & overseers to be of least concernment & may best be spared, for if I had found my estate to be lesse than I esteemed it to be, I should have given lesse both to my Executo<sup>r</sup> & in other giftes & legacies and howsoev<sup>r</sup> my opinion & judgem<sup>t</sup> hath beene & still is not only before God had blessed me with a large & comfortable estate, but since also that in point of disposing a mans outward estate especially if it were of any value & his children not very numerous I looke at it as a great oversight & evill to give all or the most part of a large estate only to wife & children to make them great or rich in the world & to leave little or nothing to freinds or to any publike or charitable use though there be great occasion & necessities of it & some poore afflicted Josephs that cry for helpe ffor as it is the Lord out of his free bountie that gives us our estates be they more or lesse (for it is not our owne hands dilligence or wisdom but his blessing only that makes rich) so he may justly challenge a part & interest in the same, as also the Common-wealth or place where wee live & where wee have got more or lesse of that estate is also to be considered

[244.] I thinke wife & children ought to have so much as whereby they may be enabled to live comfortably to be p<sup>r</sup>served from outward streights & snares proportionable to that estate that God hath bestowed upon the husband or parents for I doe not thinke that oth<sup>rs</sup> should be eased & they greived & streighten or that they should be forgott when others are remembered for God



appoints wee should first provide for our owne family with a wise & carefully hand therein according to the love respect & dutifull carriage of wife & children & the hopes they give of a stayed & gracious conversation (still remembering y<sup>t</sup> God & the country should come in for a childs part in our estates also in some reasonable proportion suteable to the extent thereof, least the Lord blast & take away all from those to whome it is given) and as I thinke dutifull & loveing wives & children should be taken care of in the first place before oth<sup>r</sup> & comfortably provided for, so I thinke all is too much that is given to vexatious prodigall imperious wives or rebellious undutifull & spendthrift childrē

Therefore my care hath beene in makeing this my will with the best wisdom & understanding that God hath bestowed upon me so to provide that I may not wrong my sonne (having but one child & one that I doe love & have cause tenderly to respect) nor my wife selfe nor legates but so to give that all may be p<sup>r</sup>formed without just cause of complaint p<sup>r</sup>judice or losse to any, neither would I make a great show of gifts to freinds & to publike & charitable uses & p<sup>r</sup>forme little or nothing if God himselfe disappoint not, least some should approach me with an affectation & vaine glory (w<sup>ch</sup> how it can justly be imputed to me seeing those things are to be p<sup>r</sup>formed when I am dead & in my [245.] grave & therefore not capable of being puffed up with pride or outward applause I see not for what good will the praises of men doe to me when I am not) and considering also that neither man nor women now living hath neither seene or read this will or any one lyne of it that I know of or of my former will made 4 or 5 yeares before this, neither have I made knowne what my purpose or intent is this way or what I have done herein to any man living that they should trumpet out my praise before hand, but have kept all private in my owne breast & have done or desire to doe that w<sup>ch</sup> God alone hath inclyned my heart unto & had I made my purposes hercin knowne I doubt not but I should have mett with discouragem<sup>ts</sup> enough & with advice & psuasions to alter many things herein & yet padventure all that I have given away & to spare with some addition to my sonne over & above his third part according to my best judgem<sup>t</sup> & valuation I would judge myselfe of folly & indiscretion & would p<sup>r</sup>sently alter it, but I am very much deceived in my account & the estimate of my estate if besides all that I have given away there be not a liberall provision made both for my wife & my son to live comfortably upon yea & to my son a good deale above a third part [246.] of my whole estate especially when God shall please to take away his mother & hir thirds returne back againe to him or so much of it as I have appointed in this will before, else I must needs say I have shewed little care & wisdom therein, yea & doe hereby declare it to be quite contrary to my true intent & will in that particular, as to put my executo<sup>r</sup> or wife to all the care paines cost & trouble in looking too & selling or putting off my estate & paying to eve<sup>y</sup> one else there legacies & themselves to be at last deceived or disappointed of there due, or that others should be fully paid there legacies & those w<sup>ch</sup> both in nature & Religion I doe & ought to esteeme most should fall short in theres or be forced to take it in the worst or most unvendable part of my estate & oth<sup>r</sup> y<sup>t</sup> to me are but straingers in comparison (though I looke at them as loveing & christian freinds) should be paid first or in the best of what I have.

Therefore to cleare all things & to make my intentions as plaine as I can (not having fully expressed it before as I remember) for there is but only one difficulty that remaines with me cheifely & how I shall gitt over it & carry all things even betweene my executo<sup>r</sup> & legacies, that all things may be p<sup>r</sup>formed rightly according to my desire I yet know not, without some wrong as it may fall out to my executo<sup>r</sup> if it be not well ordered except I have the care & counsell of my overseers & there best indeavo<sup>rs</sup> & directiō to helpe hime therein w<sup>ch</sup> I earnestly desire frō [247.] them all, my full meaning is this, when my ffunerall charges & debts (w<sup>ch</sup> I hope then will not be many for at this time they are but very little exceeding one hundred pounds if so

much) are payd or so much set apart or accounted for out of my estate as will pay them (or else the rest cannot properly be called a greate estate if any debts lye upon it unprovided for) w<sup>ch</sup> done I appoint the remainder when inventoryed & valued as equally as may be to be devided I meane in the acco<sup>tt</sup> or calculation into 3 equall p<sup>ts</sup> w<sup>ch</sup> according to my best judgem<sup>t</sup> & valuation & as I found it at the last casting up & settling of my estate w<sup>ch</sup> was done this spring One thousand sixe hundred fifty and three, the debts that my selfe owed either in Old England or New, my desperate or doubtfull debts beng left out & not brought into the acco<sup>tt</sup> of my estate as you may see in th<sup>t</sup> long booke called the Inventory Booke of my estate in Anno 1653 after w<sup>ch</sup> I began to make this will altering many things in my former will, I say as in that booke you may see that I found my cleare estate to be worth foure thousand pounds or there about & I thinke I have overvalued nothing, yea in many things I know I could make much more of them, if I were now to sell them, though possiby & may be a little [248.] mistaken in some other things, yet I conceive one thinge compared with another all will amount to my valuation, if not exceede it. Now this estate as I said before I would have devided into three parts, the one third part thereof let it come to more or lesse in value I give to my executo<sup>r</sup> Major Benjamine Keayne both in lands & goods, the second third part of my estate be it a thousand pound or more I take wholly to my selfe, to be at my owne disposing & to give the same away wholly amongst my freinds & for publike & pious uses in w<sup>ch</sup> as I said before that God & the Country & my owne part lyes, out of w<sup>ch</sup> I have given away by this will in certaine legacies besides the accidentall onea that may happen about a thousand & two hundred pounds as I cast it up w<sup>hs</sup> for ought I see my estate will well beare without wronging either my executor or my wife or offering any unkindnes to them & if I thought that either of them should apprehend otherwise I would not have done for them nor provided so liberally on there behalfe as I have done for I know what power I have to dispose of my owne estate & if their parts should have proved farr lesse I thinke they ought to have beene contented, therefore I hope they will not dislike nor be offended at what I have given away to others nor thinke I have beene to profuse, except some of those uses that I have [249.] given to may be thought to be lesse necessary or better have beene spared then given to, though I was not of that minde when I did it Now there yet remains one third part of my estate cleare or within, a smale matter, out of w<sup>ch</sup> my wife is to be provided for, unto whome I have given the third part of all my lands housing tenem<sup>ts</sup> namely the profitts of them, to improve & enjoye to hir best benefit & use as long as she lives which I doubt not will afford a larg & comfortable livinge to hir & some overplus above hir expences to lay up ev<sup>ry</sup> yeare whereby she may have some what to distribute amongst hir friends when she dyes, which thirds how much soev<sup>r</sup> it proves, when the Lord shall be pleased to remove hir out of this world I have given the one halfe thereof to my sonne & hyre Benjamine Keayne, the other halfe of it I have equally devided betweene my Grand child Hannah Keayne & the Collidge at Cambridge, in case my son should have no other children, as legacies of my love to them above what else I had given to, *given to*, them by w<sup>ch</sup> acco<sup>tt</sup> it may easily appeare that I have taken care for my wife & son & that though I have given away much in gifts as well to them as to others, yet I have not given away to the full latitude of the remain<sup>ng</sup> part of my estate, much lesse above it or beyond it [250.] if I had not much mistaken.

Now haveing given this account of the equity of my proceedings in this will of mine & in the disposing of that estate w<sup>ch</sup> the Lord in goodnes hath beene pleased to bestow upon me & as I am bound both by grace & nature first to provide for my owne viz<sup>t</sup> for those that are nearest to me (as I have said before) & then for those that are further off.

Therefore my will is that my son may first take his third part out of my lands, housen, cattle, money, plate, or any sort of houshold stuffe, or any other goods that he best likes of according to the value given to him, he allowing as much in account for them as any other man would give for the same if they were to buy them, then next my wife who is to have hir third part, in lands & tenem<sup>ts</sup> & if she desire to have a Cow or two, a peece of plate or two, or any other part of the houshold stuffe, besides what I have



given hir as a legacy (& hir owne peculiar wearing apparell, which I thinke is not equall to be valued or brought into the Inventory of my estate, nor Hannah Keaynes neither) I desire that she may have it she giving as much as others would doe for the same & paying for it either to some of those that I have given legacies unto or else by takeing so much lesse (as that she desires to buy will come too) in hir land & housing with this consideration & allowance, that may equallise the difference betweene lands & goods, the land being all to be returned at hir death, but the goods so bought wilbe hir owne to dispose of as she pleaseth without returning them back againe that so my estate [251.] may receive no losse that way or if any other or *jus* way can be thought of betweene my overseers & she I shall leave it to them.

Next that w<sup>ch</sup> shalbe judged most fitt to be set apart for what I have given to Hannah Keayne for hir portion & to be kept either in hir fath hands if he desire it, or to any other or other way that it may be best improved to hir advantage according to my will & this to be taken out of such part of my estate cattle or goods as may be most usefull to make hir pay good

Next to hirs, the legacies that I have given to my cousine Mary Mosse & Anthony & Benjamine Jupe hir brothers that they may be set apart & provided for according to my will

Next to them that my broth<sup>r</sup> & sister Willson with theire children as I have mentioned in my will may be taken care of

Next or indeed next after Hannah Keayne I desire my executor would as soone as with conveniency he can take care to pay my loveing friends that I have sequestred to be overseers of this my will to there content, unto whome not only my selfe sonne & wife shalbe most behoulding to for there paines & care they wilbe putt unto but all others that have gifts & legacies bequeathed unto them in this will

Now these things p<sup>r</sup>missed the difficultie that I know not well how to get over w<sup>ch</sup> I spake on before & which I desire may wisely be taken care of by my overseers & provided against is this, I suppos all my good debts my cattle houshold stuffe & moveables or the best & most vendable parts of them will but pay (or but little over) the legacies & gifts that I have given away & then there will remaine not much more then my housing at Boston my ffarme & some other lands to my son & wife

Now if he should pay all my liveing stocke away in legacies, the ffarme wilbe disabled & unprovided in stocke & so the more unfit to let out, if he should pay away all the houshold stuffe & moveables, then my housing would be left naked & he little to live upon but a dead stocke & so through necessitie be forced to put away some of my land or part of my housing at an under value for his owne supply & maintenance. And though land be the more certaine & will afford yearely rents, yet I looke at it as the deade estate & that w<sup>ch</sup> yealds least profit considering the value or worth of it, though the chiefest part of my estate lyes in it. Now my cheife ayme & desire is in all that I have done that my son may have an estate upon w<sup>ch</sup> he may live comfortably & out of debt & so to p<sup>r</sup>serve & carry on that estate w<sup>th</sup> credit amongst his neighbo<sup>r</sup>s & be inabled to doe good with it & so my wife also. Therefore wheth<sup>r</sup> to part with some of the land & some of the housing to pay legacies & gifts & to keepe for his owne estate some of the cheife of the houshold stuff & of the livein stocke in w<sup>ch</sup> there is a great hazard by death & wolves) that I know not what to advice into, that my will may be accomplished & yet my son putt into a comfortable [253.] capacitie of an hono<sup>r</sup>able & comfortable mainten (torn off) w<sup>th</sup>out throwing himselfe into straites or bringing himselfe into debt, by paying the legacies oth<sup>r</sup>wise that so he might p<sup>r</sup>serve his inheritance free

And I am the lesse able to give advice herein because I know not what course my sonnes spirit or inclynation will lead him to follow whether ffarming grayising marchandizing or trading or to let out all & leade a more private life & live only upon his rents & estate whether he intends to live here w<sup>ch</sup> I cheifly desire & would injoyne him too, if it be not greatly & apparantly to his p<sup>r</sup>judice except times here should much chaine & grow worse, where he may enjoye God & his ordinances & good company or whether he should have any purpose to remove of all w<sup>ch</sup> way being uncer-

taine I know not how to advice about his estate for the best, yet considering my owne debts a smale & nothing of necessitie to be payd p'sently except my funerall charges, the legacies not payable in two yeares except he will himselfe & some of them a good while after as the will shewes, I should thinke it no hard matter if wisely ordered to pay the most of these legacies in two or three yeares out of the rents of the housen the encrease of the cattle, the crops of corne at the ffarme [254.] with other improvment<sup>s</sup> of such an estate & keepe the maine stocke of cattle, the most of the goods & housho<sup>d</sup> stuffe & the land & housing intire, the debts w<sup>ch</sup> is owing to me will also be a good helpe hereunto. I would make no great question through Gods blessing to doe it my selfe & not weaken or impaire my maine estate very little if at all. Howsoev' I have made choyce of wise skillfull & godly overseers that wiibe able to direct him herein, unto whome my earnest request & desire is that they would be pleased to consider advice & assist my son & wife according to the best of their judgm<sup>t</sup> & aprehensions how to accomplish my will in that manner that their estates may be p'served & not spoyled or suncke in the discharge hereof for it is meete that what I have given & doe intend for them may not be lesned nor diminished, though legacies & gifts should abate somewhat if there should be just occasion w<sup>ch</sup> now cannot be forseene and provided for at so large a distance, not knowing what may happen or fall out at such a time

Now haveing thus cleared my intentions plainly & really in all things as farr as I can remember w<sup>ch</sup> hath occasioned my will to be farr larger then I either intended or desired, there are 2 or 3 objections w<sup>ch</sup> doth lye in the way w<sup>ch</sup> being answered or removed I shall draw to an ende for I desire in this my will to give an account [255.] of my actions & endeavor to remove all jelousies as neare as I can, these being as it were my last words that will live to speake for me when I am dead & in my grave, and God may be pleased so farr to blesse something or other that I have had occasion to expresse in this will, that such which have taken libertie to load me with divers reproaches & long to lay me under a darke cloude may have cause to see that they have done amisse & now to be sorry for it though they have not beene so before

The objections are these

Ffirst if I value my estate to be worth 4000<sup>lb</sup> or thereabouts, how could I get such an estate with a good conscience or without oppression in my calling, seeing it is knowne to some that I had no portion from my parents or freinds to begin the world w<sup>th</sup>al w<sup>ch</sup> if none did know of I am bound to acknowledge that all may be attributed to the free mercy & kindnes of God alone who raiseth up & pulleth downe as he pleaseth so that when I call to minde my first beginning or my first goinge to London I may with old Jacob thankfully say with my staffe came I over this Jordan & now the Lord hath given me two bunds

To w<sup>ch</sup> I answee I have now traded for myselfe about 40 or 50 yeares & through the favor of God though I had very little at first to begin with yet I had good credit & good esteeme & respect in the place where I lived [256.] soe that I did ever drive a great trade not only since I came hither but especially in England

Now to gett 4000<sup>lb</sup>. in 40 or 50 yeares is not 100<sup>lb</sup>. a yeare cleare gaines one yeare with another w<sup>ch</sup> wee account to be no great matter in driving but a smale trade by an industrious & provident man especially where there is no great trusting of chapmen or giving of credit w<sup>ch</sup> usually is subject to great hazards & losses & a tradsman or marchant that hath a full trade may gett a 100<sup>lb</sup>. a yeare above his expences & a great deale more very honestly without hurting his owne conscience or wronging those that he deales with at all

Since I came into New England, it is well knowne to some that I brought over with me two or 3000<sup>lb</sup>. in good estate of my owne & I have beene here in a way of trade & marchandize besides ffarning now this 18 yeares & he that hath a stocke of his owne of 2 or 3000<sup>lb</sup>. to manage in a way of trade I thinke he may very lawfully & honestly gett 200<sup>lb</sup>. a yeare by it cleare if his expences be not very great & large, and yet with turning & managing this stocke of my owne (besides what goodes have beene sent me frō England by other men to a considerable value frō time to time) I have not cleared



neare 100<sup>lb</sup> a yeare above my expences since I came hither w<sup>ch</sup> is not 5<sup>lb</sup>. p cent cleare gaines & yet I have beene [257.] no p'digall spender as I have beene no niggardly sparer in things needfull, as the acco<sup>t</sup> of my dayly & weekly expences will testifie for me when those bookes come to be viewed over, whether I have relation to my expences in Old England or since I came hither, for though I have undergone many censures since I came hither according to mens uncharitable & various apprehensions some looking at me as an oppresser in trading & getting unconscionably by what I sould & others as covetous & niggardly in housekeeping & not so liberall & bountifull as I should be (w<sup>ch</sup> how those two contraries can justly be charged upon me & yet have increased my estate noe more in so long a time I yet see not) except it be by such as care not what they say of other men though never so false so they may lay others under reproach & magnifie themselves & their wayes by disgracing of others but it is nothing for me to be judged of men, I have laboured to beare it with patience & to approve my heart & wayes to God that judgeth righteously yet these things hath made me the more willing to cleare myselfe in all matterall things in this my last testam<sup>t</sup> though it be somewhat contrary to the nature of a will yet I am willing to leave this upon publike record as a just defence for my selfe knowing that a will wilbe read & made knowne & may be pused searched or coppied out by any when other writings wilbe more hid & obscured [258.] And then let not my words only but my reall actions beare wittnes for me or against me in the hearts of all that are willing to judge indifferently & w<sup>thout</sup> p'judice, whether I have justly deserved what here I have undergon, either by words, or actions the whole passages of my life in all my dealings since I was a Prentice, being to be found in one booke or another written with my owne hand & upon one occasion or another w<sup>ch</sup> though before hath beene kept secreet to my selfe yet now wilbe exposed to the view of others & there censure when they wilbe p'used after my death.

But some may further object if I doe value my estate at so much as before mentioned how could I deale honestly in suffering myselfe to be valued in rates to the Country but after a 1000<sup>lb</sup>. estate at most or some times lesse.

To w<sup>ch</sup> I answer first that I doe not thinke a man is bound in conscience to make knowne his whole estate & suffer himselfe to be valued to the uttermost extent thereof, if he can honestly p'vent it, it is not so in any nation in the world that I have heard or read of (except in case of great extremity by an enemy in the Country or at the walls when all is in hazard to be lost) but quite contrary. In England I have knowne Knights, Aldermen, Marchants worth many thousands & have had lands worth some hundred pounds a yeare knowne, & yet to subsidies & publike [259.] charges are not valued at halfe their estates & many reasons may be given why it should not be otherwise.

I know myselfe & others here pay more to rates & publike charges yearely then those that are 3 times of my estate in England in 4 or 5 yeares, what charges they are at now is not the question nor to be propounded as an example to us, because our condition & theres is not alike, but for my selfe all the while I stayed in England I was never rated but after 3<sup>lb</sup>. Goods & at last 4<sup>lb</sup>. to any subside & yet sometimes wee had not a subside in 8 or 10 yeares graunted & here wee are rated every yeare & in some one yeare I have payd neare 20<sup>lb</sup>. to country rates. Therefore though some may judge that mens estates are undervalued every one seekeing to ease themselves & lay the burthen upon others, yet rates did rise so high upon the pound & came so fast about that men may be truly said in that respect to be rated above & beyond there estates for

When my estate was taken as others were I could not say upon safe & just grounds that it was never so much as now it is being much in debt my selfe (w<sup>ch</sup> now through great mercy I have well overcome & discharged) & having many debts owing to me, both in Old England & New, the most of which might have miscarried as [260.] some hath done, besides some adventures I had at sea of a considerable value w<sup>ch</sup> none can reckon as a sure & safe estate till God brings backe the returnes as wee finde by sad experience & losse.

Lastly the most part of my estate now lyes in my ffarme, in cattle houses & household stuffe w<sup>ch</sup> is rateing are never valued to the uttermost worth to no man (Household stuffe not at all, seeing that turnes to no profit but are impayred by dayly use) & for houseing there would appeare some kinde of injustice & inequality if they should be rated high being cheifly for entertainem<sup>t</sup> drawing charges by the accomodating of oth<sup>rs</sup> as also are chargeable to keepe in repaire & are but harbors for themselves & oth<sup>rs</sup>. Now neith<sup>r</sup> God nor any Christian state in pollicy would have their inhabitants crushed or weakened by continuall charge but soe that they may be nourished & p<sup>r</sup>served in a thriving condition that they may live well & be still able to doe good in their places, for the carrying on of publike charges besides now the Court hath taken up another & more equall way of rateing men & that is by there visible estates & an easy & equall impositiō thereon as 1<sup>d</sup>. in every 20<sup>s</sup>. they have in good estate (whereby no mans conscience is racked by questions & ans<sup>rs</sup> or by an injunction for every man to bring in a just account of the full value of [261.] his estate which hath proved a temptation to ma [torn off] against which way I thinke none can justly except or complaine as I conceive except such as have no estate but what is visible & yet are much in debt & have nothing but y<sup>t</sup> v<sup>i</sup>sible estate to pay it w<sup>th</sup> & yett nothing is abated them for their debts, then such are rated above there estates.

But some possibly will object further what if some expressions in your will should prove offensive & some p<sup>r</sup>tending exceptions (you having many enemyes that wilbe ready to take any advantage against you) should complaine to the Court against it where things may be so agravated out of p<sup>r</sup>judice that some fyne may be procured & imposed upon you & so to take away part of that estate which you thinke you have left secure to your son wife & friends.

I answer first I know no just cause of offence that I have given in any expressions herein that malice itselfe can take advantage of except they should be wrested contrary to my true intent & meaning & if any will doe so, no man can expresse himselfe so warely but some witts may make use of to a mans p<sup>r</sup>judice & make that appeare to be evill which is good or harmeles in it selfe, as I have seene & knowne by many experiences & sad examples in my lifetime & that both for words & actions as many can remember as well as my selfe.

I confesse that I have knowne & seene such practises in Old England that when some cheife ones have had a desire to fish a way a part of a dyeing mans estate they have taken exceptions against his will or quarrelled either with some expressions or gifts mentioned therein to cast the farer glosse upon there corrupt practise & project though it could not be so [262.] hid, & many here knowes how deeply many have suffered, both in the starr Chamber & High Comissiō Court for good actions & speeches interpreted quite contrary to the true meaning there of. But I hope that neither I nor mine shall live to see such practices creepe in or be countenanced in our Court doubtless the times would be strainingly chainged if any such thinge should come to passe here that men should be made transgresso<sup>rs</sup> for a harmeles word

If any such thing should be urged & brought against me, to my p<sup>r</sup>judice, who or what will they fyne, I am gone & estate of my owne I have none left, no more then will bring me to my grave, I have given away all, if not more then all & if there were a just offence given by me, or not justly taken up by others, it were not just to take away any p<sup>t</sup> of the wives or childrens portions, for the fathers or husbands offence, they being no wayes accessary to it.

If there were any estate of mine left undisposed of upon w<sup>ch</sup> a fyne might be layd, what will they doe with it if levied, if it should be to gratify any private man, that would appeare too grosse, if for the publike or comonwealth there might be some p<sup>t</sup>ence if I had bequeathed nothing that way, but haveing given away so large a p<sup>t</sup>e of my estate to publike uses (so much that many a wiser man haveing such or a better estate then mine would not have given halfe so much from his wife children & friends as I have done, and possibly I shalbe reproached of folly by many I doubt not of some for this I have done) therefore [263.] in such a case it wilbe more



honorable for the publike that my will should stand inviolable (the will of the dead usually haveing beene held sacred) then for any man upon any p'tence to secke by power to alter or infringe it

Lastly though I feare no such thinge nor see any just cause or ground that any can have for such an apprehension, yet because I know not how strainingly things may alter nor who may gett into places of power & authoritie betweene this & the time of my death, nor what p'tences corrupt or p'judiced men may make, therefore if any should be active this way & promote any such complaint against me or my will when I am dead & gone & can neither answer nor suffer for my selfe, with any intent either to get any part of my estate away if I had any left or any p<sup>te</sup> of that estate w<sup>ch</sup> I have given away to my son wife or any other mentioned in this will, or shalbe troublesome or vexatious to my executo<sup>r</sup> on p'tence of any fault or offence of mine & it be entertained or countenanced then my will is & I doe hereby declare it to be my will & full minde that all & every gift or legacy that is mentioned in this will to be layd out & disposed of for any generall or publike use whether for Library Granere Armory Court house Schoole or Colledge Market House &c. save only that hundred & twenty pound that I have given to the Schoole & poore in Boston & what other legacies that I have given to pticul<sup>r</sup> freinds or psons all other gifts of the form<sup>r</sup> publike nature, my will is that they shall [264.] utterly cease & become voyd & of no effect to the uses & behoofe, of the things & purposes before mentioned & shalbe disposed of as I shall hereafter appointe & mention.

My will is that out of those forementioned gen'all or publike gifts that are to cease my loveing wife M<sup>rs</sup> Ann Keayne may have One hundreth pounds thereof to hir owne pticul<sup>r</sup> use & benefit

And my will further is that One hundred pounds more of those gifts be equally divided between my sisters three children Anthony Jupe, Benjamin Jupe that lives with my selfe, and Mary Jupe now Mary Mosse & if any of them shall dye before they come to receive there parts then that part to goe to the survivors of them

Item I will & bequeath further out of the aforementioned gifts ceasing & becoming voyd upon any such occasion as is before mentioned One hundred pounds more thereof to my Grand child Hannah Keayne to be payd to hir either at the day of hir marriage, or when she comes to that age as is before mentioned in other legacies that I have given to hir

Item I will & bequeath One hundred pounds more of the said gifts to be divided amongst my kindred in Old England as to the wife of my brother John Keayne that did live in Chesson not farr from London, if she shalbe then alive & amongst my broth<sup>r</sup> John Keaynes children that shalbe then alive & to be divided betweene them according to the discretion of my executo<sup>r</sup> to give greater portions in the devision thereof to them [265.] that stands in most neede of it, and if my son doe know any other of my poore kindred in Old England that he give amongst them some part of this one hundreth pounds besides the tenn shillings a peece before mentioned as he in his discretion & wisdom shall see cause

Item I give of it One hundred pounds amongst my overseers of this will equally to be divided betweene them

And for the residue & remaine<sup>r</sup> of all these genn'all & publike gifts before mentioned in this my will if any such thinge should be attempted or endeavored to the disturbing or interrupting of the free passage of this my will or to the change & alteratio<sup>n</sup> there of contrary to my true intent & meaneing w<sup>ch</sup> doth cause or procure this alienation & change of that part of my will, in such free gifts as I have before given to any pticular towne or place, to any pticular Society or Company or to any pticul<sup>r</sup> use or employ<sup>mt</sup> of those genn'all gifts, save only that One hundred and twenty pound that I have given to the Schoole & poore in Boston & to pticular freinds, I say the residue & remaineing part of these gifts & legacies not above disposed of I give & bequeath wholly to my son Benjamin Keayne & his peculiar use only.

Item I give & bequeath unto M<sup>r</sup>. Bellingam our honno<sup>d</sup> Deputie as a token of my love & respects to him forty shillings for a legacy to be payd to him two yeares after my decease if he be then alive & remaineing in this Country

[266.] Item I give & bequeath unto my deare friend Mr. Edward Winslow now in old England as a token of my love & respects to him three pounds for a legacy to be payd him two yeares after my decease if he be then alive, if dead then I give the same to his loveing wife or eldest son & I doe acknowledge myselfe greatly ingaged to him for his care counsell & great love & respect that he hath shewed to my son in England, though I had forgotten him before.

As for any legacy or legacies mentioned in this will & given to my cousine Benjamine Jupe & to my couzin Mary Mosse for some just occasions of offence that since have beene given to me I doe hereby will & declare all such gifts before mentioned concerning them or either of them in this my will to become utterly voyd & of no effect in respect of them as if they had beene never mentioned or given unto them & not to be pformed nor payd to them or either of them by my executor except by some new act or declaration either by word of mouth before witnesse or some act or declaration under my owne hand writing I shall give further order therein which withdrawing of my gifts frō them is not without some greife to my selfe for there sakes, but seeing they have pulled it upon themselves against my desire & have withdrawne themselves from that long care & tender love that I have borne to them in seeking & desiring there good for some private ends of there owne I thinke there is a period putt to my further care over them by themselves, & if they receive any detriment by it they must blame themselves & not me

And now things being thus willed ordered & concluded [267.] of by this my will I shall now draw to an end, It [worn] be there are some other of my freinds & acquaintance that I respect & might have expressed my love unto had they come into my memory though my estate cannot reach to all according to the largnes of my desire & heart for if it would I should leave out none that I have received any reall love or curtesie frō & it may be to my greife I may thinke of some others that I have forgotten, but being forgott I hope they will not be offended with me or charge me with any ingratitude or want of love to them.

And of this my last Will & Testament (I make & appoint my only son Major Benjamine Keayne as I have before said to be my sole executor) <sup>wh</sup>ch is contained in nine sheets of paper nombred to 36 pages or sides of paper, all of it, yea ev'y line & word in it being written with my owne hand & my name subscribed at the lower ende of ev'y page which shalbe a sufficient signe & manifestation of it, to declare this to be my last Will & Testam<sup>t</sup>. And to stand & be pformed as my last will & I doe by these p'sents revoake null & make voyd all former & other wills gifts & graunts whatsoever heretofore by me made or any other will, if any other should be p'sented or pretended, that is not of my owne handwriting yea if any thing should be drawne from me or expressed by me in my sicknes or at my death when I may not have my memory & understanding fresh & free, to contradict & overthrow this will <sup>wh</sup>ch I have made & drawne up in my health & with my best understanding & memory suteing my owne minde & desire Therefor I [268.] doe make these p'sents to be & to containe my last Will & Testam<sup>t</sup> in manner & forme aforesaid. And that all things in this my will may honestly & faithfully be pformed so farr as is possible according to my true desire & meaning I doe hereby ordaine & appoint constitute, yea & also earnestly desire & request my honno<sup>r</sup>ed & loveing freinds Mr. Symon Broadstreete, Major Genn'all Denison his brother Mr. William Hibbins three of our honno<sup>r</sup>ed Magistrates, also Mr. Edward Winslow of Plymouth if he returne backe to abide in N. England, also my deare brother Mr. John Willson Pasto<sup>r</sup> of Boston Church & my loveing friend Mr. Norton Minister my loveing couzen Mr. Edward Rawson & Lieut Johnson our Deacon to be overseers of this my will, unto all of <sup>wh</sup>ch or any three or fower of them I give power & authoritie to call my executor or others to an account if there should appeare any neglect in him or them in the pformance on his part & to see that this my will may carefully be accomplished, And doe earnestly desire them all & beseech them to be assistant to my executor & wife, with there best ayde advice counsell & direction from time to time about the right disposing & best ordering of this my estate & to see my legacies disposed of according to my will as fast as things can be putt off & paym<sup>ts</sup> come in still with this respect that neither my executor wife nor



grandchild may be wronged in there parts or portions but provided for in the first place as is before expressed [269.] And that mine overseers would have an eye & looke after Hannah Keayne my Grandchild in respect of hir education & trayning up in the feare of God as well as also in respect of marriage if she live to such a condition & to be helpfull to hir with there counsell & advice in such a choyce especialy if God should take away hir father or grandmother before & not to suffer hir to be drawne away by any such match as may apparently tend to the hurt or overthrow of her soule or body but to hinder & make stop of any such motions to there utmost power.

And my desire is that my overseers would have three or fower coppies of this my will writt out at my charge, or of the most matteriall parts of it (if they thinke the whole to bee too long or needles) to keepe alwayes by them to view & p<sup>r</sup>use upon any occasion when they meete together about it, or otherwise that they may the better take care to have the sev<sup>r</sup>all p<sup>r</sup>icul<sup>r</sup>s y<sup>r</sup> of p<sup>r</sup>formed, and the rather because some legacies herein mentioned will or may prove some what larg before they come to be accomplished & because there is some legacies that depend upon accidentall occasions, therefore if a few of them could be printed at no great charge I would thinke that the better way & then ev<sup>r</sup>y one that is concerned in the will may have a copie of the whole by him and what the greatest number of my overseers shall doe when they meete together about any advice or counsell for the best disposing or managing of what I have left behinde me to accomplish the true ends & intentions of this my will taking therein also the advice & consent of my execut<sup>r</sup> [270.] in there meetings & consultations, that shall stand & be accounted good, yet I see not that it wilbe of absolute necessitie that ev<sup>r</sup>y one of my ov<sup>r</sup>seers should meet at all times or nothing can be carried on though it would be very necessary that they would meete altogether as often as ther shalbe any needfull occasion, and if any of these ov<sup>r</sup>seers should dye or remove out of the Country especialy if the rest see a want of them, Then my will & desire is that the surviveing overseers with the advice & consent of my executor & my wife would make choyce of some other fitt one in there roomes. And as a token of my love & thankefullnes to them all for there foreseene care paines counsell faithfulness I doe give & bequeath to each of them five pounds a peece in good pay to buy for ev<sup>r</sup>y one of them a piece of plate as a remembrance of my due respects unto them for that labo<sup>r</sup> of love that I desire & expect fro them in this businesse betrusted with them after my decease

In wittnes that all things contained in this my last will & Testam<sup>t</sup> is my owne act & deede & according to my minde, as I have set my name to every page in these nine sheets so in the last page of the last sheete I have putt to my hand & seale the fowerteenth day of November one thousand sixe hundred fivety & three when I finished the same

ROBERT KEAYNE & a seale

Sealed deliv<sup>d</sup> published & declared this to be my last will & Testam<sup>t</sup> in the p<sup>r</sup>nts of us who testifie that this writing or will contains nine sheets of paper written full on all sides. John Willson, Rich<sup>d</sup> Parker, Edw. Tinge

[271.] Perceiving that in the last sheete of my will page 36 I am so much straitened that there is [not] convenient roome left for the witnesses hands I have though meete to begin anoth<sup>r</sup> page in this sheete & to make a little addition more to the rest of my will in the former sheetes of paper haveing forgott one or two more that since came to my memory

Item I give & bequeath to James Bitts the Scotchman, if he be in my service when I dye twenty shillings

Item I give & bequeath to Nan Ostler my maide servant twenty shillings if she be in my service when I dye

I shall only add this that it is very likely that those w<sup>ch</sup> come to heare or read over this my will may meete with some tautollegies & some things that may be mentioned twice or thrice over in sev<sup>r</sup>all places w<sup>ch</sup> they may thinke to be vaine & needles repetitions & some may possibly censure it to be a fruite of an unsettled minde or weake or wavering judgem<sup>t</sup> as if I were not compus mentis when I made my will, but I would pray them not so to thinke but to impute it to the weaknes & shortnes of my memory, my will not being made at one time or in one day, for the length of it would not pmitt that, but at sev<sup>r</sup>all times as I had leasure and opportunitie to carry it

on it being begun mo. 6. 1. 1653 but not quite finished till November 15th 1653 & this addition not till December 15, 1653 & so I might well forgett somethings that I had mentioned [272.] before not having time at every time that I began to write to read over what I had before written yet sometimes I did remember & possibly p<sup>re</sup>sused what I had writt before of such a subject, but that not expressing my minde fully I bring in the same againe, that I might add somewhat more to it for the more full or cleare expressing my minde or meaning therein. Therefore my request to all that shall heare or read this my will is that they will make a favourable construction of all things contained in it & to passe by all my humaine frailties & weakneses therein & to take nothing in the worst sence, where a more Christian & loving interpretation may be made of it, nor none to take or picke out of it anything of it to the p<sup>re</sup>judice of my will or the disappointing or frustrating of any of there right which I have given to them, but if some words or expressions should seeme to jarr or differ that these may be interpreted as neare as can be gathered or reconcilled with the scope of my will in generall or other places of it in pticular, to be my true intent & meaning, for the will being long & my minde full of thoughts & exercises especially in some parts or passages in it there may be many defects in it that may justly call for a mantle of love to cover them and it is like that had I time to coppie it out faire againe (w<sup>ch</sup> the length thereof will not easily p<sup>re</sup>mitt, for I had many thoughts that I should have dyed before I had quite finished haveing had one fitt of sicknes or weaknes they lay sore upon me & long which made me hasten the finishing of it all I could), I should leave [273.] out sev<sup>al</sup>l things that are now in it, but I am not will [rest of word gone] to imploy any body else to write it out but my selfe therefore it must now passe with what faults or defects may be judged to be in it.

Item I give to M<sup>r</sup>. Buckley Senio<sup>r</sup> Minister of Concord Three pounds & to M. Tomson Minister of Brantrey forty shillings as tokens of my love

I have forgott one loveing couple more that came not to my minde till I was now shutting up & that is Cap<sup>t</sup> Bridges & his loveing wife to whom I give & bequeath forty shillings as a pledge of my loveing respects to them, to be payd two yeares after my decease if then liveing & abiding in y<sup>e</sup> country

If my loveing wife or any other should be offended that I have not made my wife executrix as I did when my son was under age or that I have not now joyned hir with my son in the executorship as I have done in some former wills, my son being then in the warrs in England & so his life the more uncertaine, I conceive it not so convenient now, he being of full age & upon his returne home, Therefore to p<sup>re</sup>vent differences y<sup>e</sup> possibly might happen betweene my wife & hir son but cheifly because the accomplishm<sup>t</sup> of this will will procure much care & some trouble & labour, more fitt for a man to undergoe then a woman & I thinke it would be too great a burthen & worke for hir to undertake, besides if she should marry againe before the will should be fully accomplished & fullfilled there might come some trouble to hir & more inconvenience to my estate of all w<sup>ch</sup> she is eased & may enjoy hir owne p<sup>re</sup>sent & due in peace & quiet

Therefore I doe here againe declare all that which is contained before in nine sheetes of paper writt with my owne hand in all the sides thereof & more particularly expressed in the 36 page y<sup>r</sup> of with all that is added to it in this page 37 to be my last Will & Testament & my son Major Benjamin Keayne to be sole executor thereof & my loveing freinds mentioned in the lower end of page 36 to be the overseers of it.

In Wittnes whereof as there so here againe I have putt to my hand & seale in the p<sup>re</sup>sence of these whose names & handes are hereunder written this December 28, 1653

ROBERT KEAYNE

& a seale

JOHN WILLSON  
RICHARD PARKER

EDW TING  
ROB<sup>t</sup> HULL  
EDW FLETCHER

*Robert Keayne*



[274.] Att a County Court held at Boston 2d of May 1656  
 Mr. John Wilson Sen. Mr. Richard Parker & Mr. Edward Tyng deposed before  
 the Court that Cap<sup>t</sup> Robert Keayne at y<sup>e</sup> times meñtoned in the thirty sixt  
 page & thirty seventh pag. did call them in and declared these nine sheets of  
 paper & one page to be his last will & testament & sawe him signe and seale  
 the same & y<sup>t</sup> they know of no other will w<sup>ch</sup> was approved of by y<sup>e</sup> Court as  
 attests

EDWARD RAWSON Recorder

[In Margin, page 273.]

At a County Court for Suffolke held at Boston

29<sup>th</sup> Janur<sup>o</sup> A<sup>o</sup> 1683

The Executo<sup>rs</sup> within nominated of the last will of Capt<sup>n</sup> Robert Keyne  
 sometime of Boston dece<sup>d</sup> hereto annexed being both dead! Power of  
 Adm<sup>con</sup> of y<sup>e</sup> estate of s<sup>d</sup> Cap<sup>ne</sup> Keyne is granted unto Mr Nicholas Paige and  
 Anna his wife Grand daught<sup>r</sup> of s<sup>d</sup> Robert Keyne to pursue the performance  
 of his will in what remains to be done therein, they to give Bond of one  
 thousand pounds to execute the same, their own bond being accepted by y<sup>e</sup>  
 Court is accordingly taken

Attest

Is<sup>a</sup> ADDINGTON Cl<sup>rk</sup>