x 2d Nov. She told Cripps She had given Instructions for a new Will.

for the Will of 3 Nov: are not proved to come from Deed; they are not, in the same manner as those for y^e former Will, but the Dec: owns them to be hers, when the Will is executed.
It was hinted, that Robinson himself, had made the Will, & told Cripps, he must set up all night for that Purpose; but that is demonstrated to be false by Hills & Ewer, who declare the Will was wrote wholly by Macdonald, & the Duplicate by Cockayne their Clks, that R. was never present & the whole was finish'd towards night on y^e 2^d of Nov^r.

Reading over & Execution.

The Reading over, Approbation, Execution, & attestation, is proved by Every Person present.
Meriton says. on their coming into y^e Chamber Deed asked if the Will was brought, being ans^d yes, She desired it might be read that Hills read it, & when she came to the Legacies to her great Nieces, Nephews, she said, She thought there was more than she intended for them, when read Hills asked, if she approved it, she replyd yes, & desired to execute it, wch she did in presence of Hills, Ewer, & Dep^t: who attested it
Hills. says. he told Deed he had made her Will, pursuant to Rs Instructions, she desired he w^d read it, which he did, & at y^e end of every bequest, desired her to observe, if it was agreable to her Intent, & she from time to time approved it, except as to the Legacys of 1500£ to 2 Gr. Nephews, & Gr. Neice, wch she said was too much for them, & Speaking earnestly, & throwing her head towards R. added, but you w^d have it so. When read. Deed approved the whole, & said, "Sir, I hope you have taken care that "neither my Bro^r or Husb^d can give my Ex^rs any trouble, because "I know they will, if they can"; confirms Meriton as to Execution & Attestation – as does Ewer also
Even Cripps one of the most Adverse W^s admits, she heard the Will read over audibly to Deed, tho, she was in the next room Keen says the same. So that there cann^t remain the least Shadow of Doubt on that Head.

Subsequent Recognition.

Keen to 15. also speaks to a subsequent Recognition by the Deed, That one day after y^e Execution of the Will, thinking Dec: uneasy She asked, if she was satisfied with her Will, & if every thing was to her Satisfaction, She replyd it was. Dep^t said I suppose you know who you have trusted, Dec: answerd, they (meaning R. & R) were very faithfull honest Men, & she knew to be so –

Blanks

With respect to the Blanks, they were left for the Christian names of three of the Legatees, & one other, accord^g to Ewers acc^t for the name of a Trustee for the disposal of 500£ to poor Baptists the Deed being in doubt wh^r She put in her Bro^r Joseph or L. Davis –

Destroying the Wills 15 Aug: & 1 Oct^r 1764.

The next Circumstance of Suspicion, is the destruction of the former Wills; I readily admit the fact, & say it was by the Deeds Order – Hills says he heard Deed herself burnt that of 15 Aug^t about 1 Oct^r at Hunmerton; & he, Ewer, & Meriton agree that Hills burnt that 1 Oct^r after the Will of 3 Nov: was executed, at Deeds Lodgings by her desire
The Circumstance sworn to by Cripps, that she was sent out of the Room, when they were going to read the Will, is flatly contradicted by Keene, who was present & left the Room at the same time with Cripps, voluntarily, in this Keen is confirmed by Meriton, Hills & Ewer –
Dr Marriot urged, a farther reason to infer fraud, was the considerable Sum likely to accrue to the Exors, viz. certainly upwards of 1700£, & eventually more than 3200£. I answer, the first Assertion, is founded on a mistake, the Deeds fortune being 5000£ & the Sums bequeathd £4225 – As to the other part of the Assertion, it is mere Surmise, as there is no constat



of the Quantum of W^m Butlers Estate remaining undivided; Perhaps I shall be told of Slacks Calculating the whole at 18000£ & that he is able to form a Judgement; but you Sir will observe how that Calculation is made, viz, Variety of out Standing Debts of which possibly little or nothing may be recovered –
I come now to the charge of Incapity from Drinking, of which the Deed is strongly accused by 4 W^s
Cripps who lived with Deed, as her maid, for 15 y^rs before & to her death, gives the strongest Evidence that can be conceived; instances her frequently drinking a Quart of Spirits in a day, & continuing so to do, sev^l days together; that she has found her dead Drunk on the Hearth, & that for 2 or 3 M^s before her death, she was utterly incapable; If this Account is to be credited the Will ought certainly to be set aside: but upon examining the Depon of this W^s there are so many Palpable Contradictions, & the Account given, is so opposite to what many W^s of unexceptionable Characters depose, that the Ct will have little Reliance upon her Evidences; to invalidate wch a single Instance will suffice; viz. to 23. Art: she says, on 3 Nov^r & more than a Month before, Deed was incapable of giving Instructions for, or understanding a Will when prepard, & frequently did not know Dep^t yet this very W^s afterwards admits that Deed on 2 Nov^r after D. & R. were gone, told her She had given Instructions for a new Will –
Rawlings, speaks to her drinking sometimes a Quart of Spirits a day, but as he never saw her after July; if true, it will not impeach an act done 3 Nov^r –
Slack has often seen her drink a Glass of Rum, & says he bought considerable Quantities of the Strongest Spirits for her at Hunmerton; She appeard utterly incapable ab^t 3 Weeks before her death; Yet he at that time carried her an Acc^t to settle, & paid her Money: used to carry her Bills for Spirituous Liquors, & also Cash, & left such Bills, in acc^t for so much Cash paid for her Use; he settled the Acc^ts himself without Deed taking notice of him, & She signd such Rec^ts as he thought necessary, for the Money he so paid;
If this Acc^t is true, it is very much to Slacks discredit; as an honest man, if he thought the Deed incapable, he ought not to have entered into an Account, which he might settle as he thought proper, But it is remarkable that one of the Bills mentiond, is before the 1^st, in which there is not a single Drop of Spirits, & the only Item, of Liquor, is a Bottle of Madeira –
Golledge the Mantuamaker was only occasionally with Deed, & as She confines herself to a general Assertion, of Drunkenness cannot be attended to
On the other Side are the Depons of 6 unexceptionable W^s Some of them acquainted with Deed many years, who never heard of her being addicted to Drinking; Dr Clarke & the two Apothecaries visited her, in her last Illness, at different Times of the Day, they all concur in saying they do not believe She was guilty of Drunkenness, & that if She had been, it must have been known to them:
Her Capacity is established by 8 W^s of unexceptionable Characters, who depose to strong Trait of Understanding at different Season, & on different Occasions; She settled Acc^ts with Keen & Cripps within a few days of her Death: She bought Dinner of Graham the Evening She executed the Will – Viz: Sanders kept a daily Intercourse of Business with Deed, till 2 Days of her death, being employd by her Master to know what She wanted at his Shop, wch She did every morning, received Orders from Deed, & carried Goods in pursuance thereof with the Bill